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FISCAL IMPACT REPORT

SPONSOR Rehm ORIGINAL DATE 3/3/09
LAST UPDATED _____ HM 64
SHORT TITLE Wrongful Lien Task Force SB _____
ANALYST C. Sanchez

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Regulation and Licensing Department (RLD)

SUMMARY

Synopsis of Bill

House Memorial 64 would require the legislative council to assemble a task force to study the ability of a homeowner to defend against a wrongful lien in the context of Chapter 48, Article 2 NMSA and the Stop Notice Act. The task force is to report to the appropriate interim legislative committee in October of 2009. Copies of the memorial are to be provided to the co-chairs of the legislative council service, the director of CID, the superintendent of RLD, the attorney general, and director of the administrative office of the courts.

FISCAL IMPLICATIONS

No Fiscal impact reported. However, costs would be incurred to implement the provisions of the memorial. Presumably, costs would be absorbed by the agency.

ADMINISTRATIVE IMPLICATIONS

According to RLD, because CID does not enforce the lien laws, it will have no ability to provide input to the task force from a regulatory perspective; however, it does have existing industry networks that can be tapped to provide industry input to this process. In addition, it receives and processes approximately 200 homeowner complaints annually. This may provide another source of input of potential value to the task force.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

A task force would not be assembled to study the ability of a homeowner to defend against a wrongful lien in the context of Chapter 48, Article 2 NMSA and the Stop Notice Act.

CS/mt

