

1 HOUSE BILL 179

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

4 Eleanor Chávez and Tara Jaramillo and Patricia Roybal Caballero  
5 and Tara L. Lujan and Yanira Gurrola  
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10 AN ACT

11 RELATING TO PROPERTY; REQUIRING NOTICE OF THE FILING OF LIENS  
12 WITH THE PROPERTY OWNER.  
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14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

15 SECTION 1. Section 48-2-6 NMSA 1978 (being Laws 1880,  
16 Chapter 16, Section 6, as amended) is amended to read:

17 "48-2-6. TIME FOR FILING LIEN CLAIM--CONTENTS--NOTICE OF  
18 LIEN--

19 A. Every original contractor, within one hundred  
20 [~~and~~] twenty days after the completion of [~~his~~] a contract, and  
21 every person, except the original contractor, desiring to claim  
22 a lien pursuant to Sections 48-2-1 through [~~48-2-19~~] 48-2-17  
23 NMSA 1978 [~~must~~] shall, within ninety days after the completion  
24 of any building, improvement or structure or after the  
25 completion of the alteration or repair [~~thereof~~] of the

.223592.1

underscored material = new  
[bracketed material] = delete

underscoring material = new  
[bracketed material] = delete

1 building, improvement or structure or the performance of any  
2 labor in a mining claim, file for record with the county clerk  
3 of the county in which [~~such~~] the property or some part  
4 [~~thereof~~] of it is situated a claim containing a statement of  
5 [~~his~~] demands, after deducting all just credits and offsets.  
6 The claim shall state the name of the owner or reputed owner,  
7 if known, and also the name of the person by whom [~~he~~] the  
8 claimant was employed or to whom [~~he~~] the claimant furnished  
9 the materials, and shall include a statement of the terms, time  
10 given and the conditions of the contract, and also a  
11 description of the property to be charged with the lien,  
12 sufficient for identification. The claim [~~must~~] shall be  
13 verified by the oath of [~~himself~~] the claimant or of some other  
14 person.

15 B. A person filing a claim for a lien with a county  
16 clerk pursuant to Subsection A of this section shall mail or  
17 hand deliver a written notice of the claim to the owner stated  
18 in the claim within fifteen days of filing the claim with the  
19 county clerk. A copy of the claim for a lien shall be attached  
20 to the notice."