

FIFTY-SEVENTH LEGISLATURE
FIRST SESSION

PROPOSED AMENDMENT DIRECTED TO A COMMITTEE

March 4, 2025

Madam Chair:

I propose to the HOUSE JUDICIARY COMMITTEE the following amendments to

HOUSE BILL 123

1. On page 1, line 17, after the semicolon, insert "PROVIDING LIMITATIONS TO ACTIONS;".

2. On page 4, line 2, after "relationship", insert "as provided pursuant to the Uniform Cohabitants' Economic Remedies Act".

3. On page 5, between lines 22 and 23, insert:

"F. A cohabitant may commence an action for breach of an oral, unwritten or implied-in-fact cohabitants' agreement if failure to permit the action would result in fundamental unfairness.

G. A claim for breach of a cohabitants' agreement:

(1) if the agreement is written, shall be commenced within the same limitation period provided pursuant to Section 37-1-3 NMSA 1978 for actions founded upon contracts in writing; and

(2) if the agreement is oral, unwritten or implied-in-fact, shall be commenced within the same limitation period provided pursuant to Section 37-1-4 NMSA 1978 for actions founded upon unwritten contracts."

4. On page 6, line 3, after "relationship", insert "where failure to permit the action would result in fundamental unfairness".

5. On page 6, line 9, after the second occurrence of "court", insert "within the same limitation period provided pursuant to Section 37-1-4 NMSA 1978".

Respectfully submitted,

Charlotte Little