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## FISCAL IMPACT REPORT

ORIGINAL DATE 02/20/09

SPONSOR Lujan, B. LAST UPDATED 3/10/09 HB 821

SHORT TITLE Publication of Legal Notices SB \_\_\_\_\_

ANALYST Leger

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY09	FY10	FY11	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
<b>Total</b>		\$1-50.0	\$1-50.0	\$1-50.0	Recurring	Local, County, and General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Administrative Office of the Courts (AOC)  
Commission of Public Records (CPR)

#### No Responses Received From

Department of Finance and Administration (DFA)

### SUMMARY

#### Synopsis of Bill

House Bill 821 amends Section 14-11-13 NMSA 1978 adding *Mas New Mexico* to the list of official Spanish newspapers in New Mexico which required legal notices may be published.

### FISCAL IMPLICATIONS

The fiscal impact of this bill relates to the operating budget of those agencies required by law to publish legal notices.

### SIGNIFICANT ISSUES

HB 821 adds one publication to the list of "Official Spanish Newspapers" for the purpose of publishing legal notices in Spanish as required by law for any agencies of the state. According to 14-11-2 NMSA 1978, any and every legal notice or advertisement shall be published in a daily, tri-weekly, a semi-weekly or a weekly newspaper for general circulation that can be obtained by single copy. The overall fiscal impact is unknown at this time as rates to publish legal notices

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are unknown. State agencies would absorb the cost of publication. AOC reports there will be a minimal administrative cost for statewide update, distribution and documentation of statutory changes. Any additional costs of publication cannot be estimated at this time.

According to AOC, the courts are required by Chapter 14, Article 11 to publish legal notices and advertisements relating to pending cases, including for example, legal process against nonresidents , unknown or absent parties, notices of sale of real estate under foreclosure of mortgages or executions, trespass warnings and other documents in the appropriate local newspaper of general circulation. In such situations, the cost of publishing such notices or advertisements is added to the costs of the cause or proceeding pending before the court.

AOC further reports, district judges are already required under current law to make a determination in the case of a question or disagreement, as to whether a local county or municipal board, including school boards, must publish notices in Spanish-speaking newspapers (Sec. 14-11-11, NMSA 1978). Adding one additional source by which to communicate with the Spanish-speaking public would help to ensure that the public is adequately informed about the action soon to be taken.

JL/svb:mc