

1 SENATE BILL 154

2 **55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021**

3 INTRODUCED BY

4 Crystal R. Diamond

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9  
10 AN ACT

11 RELATING TO PROPERTY; ALLOWING A PUBLIC AGENCY TO CHARGE A  
12 REASONABLE FEE FOR PROVIDING AN OPINION REQUESTED PURSUANT TO  
13 THE NEW MEXICO SUBDIVISION ACT.

14  
15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 SECTION 1. Section 47-6-20 NMSA 1978 (being Laws 1973,  
17 Chapter 348, Section 20, as amended) is amended to read:

18 "47-6-20. PUBLIC AGENCIES REQUIRED TO PROVIDE COUNTIES  
19 WITH INFORMATION.--

20 A. Any public agency receiving a request from the  
21 board of county commissioners for an opinion and any Indian  
22 nation, tribe or pueblo that chooses to submit an opinion  
23 pursuant to Section 47-6-11 NMSA 1978 shall furnish the board  
24 with the requested opinion within the time period set forth in  
25 Subsection A of Section 47-6-22 NMSA 1978. The board of county

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1 commissioners shall furnish the appropriate public agency and  
2 Indian nation, tribe or pueblo with all relevant information  
3 that the board has received from the subdivider on the subject  
4 for which the board is seeking an opinion. If the public  
5 agency or Indian nation, tribe or pueblo does not have  
6 sufficient information upon which to base an opinion, the  
7 public agency or Indian nation, tribe or pueblo shall notify  
8 the board of this fact.

9 B. A public agency may charge the subdivider a  
10 reasonable fee for providing an opinion requested pursuant to  
11 Section 47-6-11 NMSA 1978.

12 ~~[B-]~~ C. All opinion requests mailed by the board of  
13 county commissioners shall be by certified mail, return receipt  
14 requested. Boards of county commissioners delivering opinion  
15 requests shall obtain receipts showing the day the opinion  
16 request was received by the particular public agency or Indian  
17 nation, tribe or pueblo."