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HOUSE BILL 1000

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Larry A. Larrañaga

AN ACT

RELATING TO REAL PROPERTY; REQUIRING COUNTY CLERKS TO NOTIFY
PROPERTY OWNERS OF CLAIMS OF LIEN FILINGS; INCREASING RECORDING
FEES FOR CERTAIN LIENS.

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

Section 1. Section 14-8-12 NMSA 1978 (being Laws 1939,
Chapter 179, Section 2, as amended) is amended to read:

"14-8-12. RECORDING FEES--WHEN INSTRUMENT NOT
PHOTOCOPIED.--

A. County clerks shall receive for recording the
following fees when the instrument is not photocopied:

standard form of deeds	\$1.75
nonstandard form of deeds.	2.00
standard form of mortgage deeds.	2.00
nonstandard form of mortgage deeds	2.25

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1	standard form of amortization mortgage,	
2	long form	2.75
3	standard form of amortization mortgage,	
4	short form.	2.25
5	nonstandard form of amortization mortgage,	
6	long form	3.25
7	nonstandard form of amortization mortgage,	
8	short form.	2.75
9	standard form assignment of mortgage.	1.50
10	nonstandard form assignment of mortgage	1.75
11	standard form oil and gas mining leases	1.75
12	nonstandard form oil and gas mining leases.	2.00
13	standard form assignment of oil and gas	
14	mining leases	1.50
15	nonstandard form assignment of oil and gas	
16	mining leases	1.75
17	standard form release of oil and gas lease.	1.25
18	nonstandard form release of oil and gas lease . . .	1.50
19	for release of each recorded mortgage or	
20	deed of trust	1.00
21	deed of trust	2.25
22	bill of sale	1.00
23	affidavits.	1.00
24	notary bond and oath.	2.00
25	notary commission	2.00

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1 filing chattel mortgages or conditional sale

2 contracts with or without assignments50

3 filing separate assignment of chattel mortgage

4 conditional sale contract25

5 for release of each filed chattel mortgage

6 conditional sale contract25

7 official bonds. 2.50

8 notice of mining location or proof of labor 1.25

9 abstractor's bond 2.25

10 abstractor's continuation certificate 1.25

11 abstractor's lien 10.00

12 mechanic's lien [~~1.75~~] 10.00

13 issuing transcript of judgment75

14 recording transcript of judgment. 1.25

15 tax sale certificate or an assignment

16 of the certificate. 1.25

17 redemption of tax sale certificate 1.25

18 patents 1.75.

19 B. For each instrument recorded, the recording fee

20 for which is not fixed in Subsection A of this section and when

21 the instrument is not photocopied, the recording fee shall be

22 one dollar seventy-five cents (\$1.75) for the first seven

23 hundred words or less and twenty-five cents (\$.25) for each

24 additional hundred words or fraction thereof."

25 Section 2. Section 48-2-8 NMSA 1978 (being Laws 1880,

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1 Chapter 16, Section 8, as amended) is amended to read:

2 "48-2-8. RECORDING OF LIENS--INDEXING--FEES.--The county
3 clerk [~~must~~] shall record the claim in a book kept [~~by him~~] for
4 that purpose, which record [~~must~~] shall be indexed as deeds and
5 other conveyances are required by law to be indexed, and for
6 which [~~he~~] the county clerk may receive the same fees as are
7 allowed by law for recording deeds and other instruments. Any
8 claim, the form of which complies with the requirements of
9 [~~this article~~] Sections 48-2-1 through 48-2-17 NMSA 1978, shall
10 be entitled to be filed of record and need not comply with the
11 requirements of Section 14-8-4 NMSA 1978. The county clerk
12 shall, within fifteen calendar days of recording a claim of
13 lien, mail a copy of the claim by first class mail, postage
14 pre-paid, to the owner of record of the real property that is
15 the subject of the claim of lien at the property owner's last
16 known address."

17 Section 3. Section 48-4-3 NMSA 1978 (being Laws 1949,
18 Chapter 15, Section 3) is amended to read:

19 "48-4-3. RECORDING OF LIENS--INDEXING--FEES.--The county
20 clerk [~~must~~] shall record the claim of lien in a book kept for
21 that purpose, which record [~~must~~] shall be indexed as deeds and
22 other conveyances are required by law to be indexed and for
23 which [~~he~~] the county clerk may receive the same fees as are
24 allowed by law for recording deeds. The county clerk shall,
25 within fifteen calendar days of recording a claim of lien, mail

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1 a copy of the claim by first class mail, postage pre-paid, to
2 the owner of record of the real property that is the subject of
3 the claim of lien at the property owner's last known address."

4 Section 4. EFFECTIVE DATE.--The effective date of the
5 provisions of this act is January 1, 2006.

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