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## FISCAL IMPACT REPORT

**SPONSOR** Cervantes **ORIGINAL DATE** 01/26/09  
**LAST UPDATED** 03/16/09 **HB** 181/aSJC  
**SHORT TITLE** Uniform Legislation Commission Membership **SB** \_\_\_\_\_  
**ANALYST** Hoffmann/Hanika-Ortiz

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

	<b>FY09</b>	<b>FY10</b>	<b>FY11</b>	<b>3 Year Total Cost</b>	<b>Recurring or Non-Rec</b>	<b>Fund Affected</b>
<b>Total</b>		\$0.1 indeterminate	\$0.1 indeterminate	Minimal	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Administrative Office of the Courts (AOC)

Attorney General's Office (AGO)

#### No Response

Supreme Court Law Library (SLCC)

### SUMMARY

#### Synopsis of SJC Amendment

The Senate Judiciary Committee Amendment increases the uniform law commission membership by four members of the New Mexico State Bar. The Amendment expands on commission membership requirements to include four members appointed by the New Mexico Legislative Council with one member from each of the two major parties in the New Mexico Senate and New Mexico House of Representatives; and two members appointed by the Governor.

### SIGNIFICANT ISSUES

The Amendment provides that nearly all commission members will be required to have New Mexico State Bar membership. There does not appear to be a provision in the act that new (or existing) members have experience in certain areas of law to ensure all are represented.

Per diem and mileage expenses will be determined by how often these 12 plus members of the commission choose to meet.

Synopsis of Original Bill

House Bill 181 amends NMSA 1978, Section 2-4-1 regarding the “Uniform Law Commission.” The bill adds to the membership of the commission “any member of the New Mexico bar who has represented New Mexico as a member of the Uniform Law Commission for twenty or more years and who has been elected a life member of the Uniform Law Commission.” The bill also deletes language requiring the four commission members from the New Mexico bar to serve on the commission at their own expense.

**FISCAL IMPLICATIONS**

Additional commission membership would increase the cost of travel and per diem. There are no estimates provided.

**SIGNIFICANT ISSUES**

The Administrative Office of the Courts reports that uniform laws have been created over the years on subjects where uniformity is desirable and practicable in order to simplify the legal life of businesses and individuals with rules and procedures that are consistent from state to state, critical now that new technology is eliminating geographical borders. The commission’s most well known achievement is the Uniform Commercial Code for the conduct of business, contracts, and purchases or sales; but the group also focuses on family law, estates, probate and trusts, real estate, full faith and credit, enforcement of judgments, and alternate dispute resolution.

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

The current commission membership will remain, and the four commission members from the New Mexico Bar will continue to serve at their own expense.

CH/mt:mc:svb