

FIFTIETH LEGISLATURE
FIRST SESSION, 2011

SB 343/a

March 11, 2011

Mr. President:

Your **JUDICIARY COMMITTEE**, to whom has been referred

SENATE BILL 343

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 1, line 16, after "LIENS", insert "; REPEALING THE STOP NOTICE ACT".

2. On page 4, line 5, strike "No" and insert in lieu thereof "Except for liens made by original contractors or for claims of liens made by mechanics or materialmen who contract directly with the original contractor, no".

3. On page 4, line 9, after "A", insert "or D".

4 On page 4, between lines 11 and 12, insert the following new subsection:

"F. No lien that is made by an original contractor or by a mechanic or materialman who contracts directly with the original contractor that is claimed pursuant to the provisions of Chapter 48, Article 2 NMSA 1978 and that is recorded in the office of the county clerk may be enforced by action or otherwise unless the original contractor or the mechanic or materialman who contracted directly with the original contractor gave written notice to the owner or reputed owner of the property within the thirty days immediately preceding the filing of the lien and the date and method of delivery of the notice are listed on the recorded lien."

5. Reletter the succeeding subsection accordingly.

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6. On page 12, between lines 17 and 18, insert a new section to read:

"SECTION 9. REPEAL.--Sections 48-2A-1 through 48-2A-12 NMSA 1978 (being Laws 1989, Chapter 301, Sections 1 through 12) are repealed."

7. Renumber the succeeding sections accordingly.

8. On page 12, line 19, after "filed", insert "in the office of the county clerk".

Respectfully submitted,

Richard C. Martinez, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 7 For 0 Against
Yes: 7
No: 0
Excused: Eichenberg, Harden, Lopez, Sanchez, M.
Absent: None

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