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## FISCAL IMPACT REPORT

ORIGINAL DATE 02/18/11

SPONSOR Maestas LAST UPDATED \_\_\_\_\_ HB 349

SHORT TITLE County Remove Certain Structures or Debris SB \_\_\_\_\_

ANALYST Aubel

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

	FY11	FY12	FY13	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
<b>Total</b>		Minimal	Minimal	Minimal	Recurring	Counties

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

Responses Received From  
Office of Attorney General (AOG)

### SUMMARY

#### Synopsis of Bill

House Bill 349 provides counties the ability to remove dangerous buildings or debris by adding “county,” “board of county commissioners” or “county clerk” as appropriate throughout Section 3-18-5 NMSA 1978.

### FISCAL IMPLICATIONS

There may be additional administrative costs to counties for processing the resolution to the owner of the subject property, performing a hearing in case of objection, and completing a legal action when the owner objects to the final order and files a notice of appeals in district court. Although the statute provides for various ways to offset the cost of cleaning up the property, it is feasible that the county could end up having to absorb the cost. These administrative costs would most likely be minimal and should be weighed against the cost to public safety and health arising from structures or debris that poses a menace to citizens. It is assumed that these administrative costs would be ongoing as these types of properties will arise over time but would be inconsistent from year to year.

**SIGNIFICANT ISSUES**

Current law provides municipalities with the ability to address the issue of structures or debris that constitutes a menace to public comfort, health, peace or safety. However, if the property is outside of the municipality boundaries, counties do not have the same process. This bill would redress this inconsistency.

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

Counties will remain unable to address the problem of structures or debris that pose a nuisance or jeopardize public health through the process outlined in statute for municipalities.

MA/mew