

1 HOUSE BILL 24

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

4 Miguel P. García

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10 AN ACT

11 RELATING TO PROPERTY; REQUIRING COUNTIES AND MUNICIPALITIES TO
12 TAKE RESPONSIBILITY FOR THE REPAIR, IMPROVEMENT OR CONSTRUCTION
13 OF SIDEWALKS; REPEALING SECTION 3-49-4 NMSA 1978 (BEING LAWS
14 1967, CHAPTER 240, SECTION 1).

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

17 SECTION 1. A new section of Chapter 5 NMSA 1978 is
18 enacted to read:

19 "NEW MATERIAL] SIDEWALKS--REPAIRING--IMPROVING--
20 CONSTRUCTING.--If the governing body of a county or
21 municipality determines that it is necessary to repair, improve
22 or construct a sidewalk fronting an individual tract or parcel
23 of land to conform with the existing sidewalk standards adopted
24 by the county or municipality, the governing body shall provide
25 notice by certified mail at the last known address of the owner

.223299.2

underscored material = new
[bracketed material] = delete

underscoring = new
~~[bracketed material]~~ = delete

1 or agent in charge of the tract or parcel of land that is
2 contiguous to the sidewalk that the municipality shall commence
3 repairing, improving or constructing the sidewalk within
4 fifteen days. If the owner, as shown by the real estate
5 records of the county clerk, or agent in charge of the
6 building, structure or premise cannot be provided notice
7 pursuant to this section, a copy of the notice shall be posted
8 on the building, structure or tract or parcel of land that is
9 contiguous to the sidewalk."

10 SECTION 2. REPEAL.--Section 3-49-4 NMSA 1978 (being Laws
11 1967, Chapter 240, Section 1) is repealed.