

1 AN ACT

2 RELATING TO DOMESTIC AFFAIRS; ELIMINATING THE REQUIREMENT TO  
3 FILE NOTICE WITH PROOF OF PUBLICATION; REPEALING SECTION  
4 40-8-2 NMSA 1978 (BEING LAWS 1889, CHAPTER 3, SECTION 2, AS  
5 AMENDED).

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

8 SECTION 1. Section 40-8-1 NMSA 1978 (being Laws 1889,  
9 Chapter 3, Section 1, as amended) is amended to read:

10 "40-8-1. CHANGE OF NAME--PETITION AND ORDER.--

11 A. Any resident of this state fourteen years of  
12 age or older may, upon petition to the district court of the  
13 district in which the petitioner resides, if no sufficient  
14 cause is shown to the contrary, have the petitioner's name  
15 changed or established by order of the court. The legal  
16 parents or legal guardians of any resident of this state  
17 under the age of fourteen years may, upon petition to the  
18 district court of the district in which the petitioner  
19 resides, if no sufficient cause is shown to the contrary,  
20 have the name of the petitioner's child or ward changed or  
21 established by order of the court. When residents under the  
22 age of fourteen years petition the district court for a name  
23 change, notice shall be given to all legal parents or legal  
24 guardians. The order shall be entered at length upon the  
25 record of the court, and a copy of the order, duly certified,

1 shall be filed in the office of the county clerk of the  
2 county in which the person resides. The county clerk shall  
3 record the same in a record book to be kept by the county  
4 clerk for that purpose.

5 B. If the court finds that notice to one or more  
6 legal parents or legal guardians of a child who is under  
7 fourteen years of age will jeopardize the child's or the  
8 applicant's personal safety, the court shall not require  
9 notice. The court shall order all records regarding the  
10 petition to be sealed. The records shall only be opened by  
11 court order based upon a showing of good cause or at the  
12 applicant's request."

13 SECTION 2. REPEAL.--Section 40-8-2 NMSA 1978 (being  
14 Laws 1889, Chapter 3, Section 2, as amended) is repealed. \_\_\_\_\_

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