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HOUSE BILL

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

DISCUSSION DRAFT

AN ACT

RELATING TO PUBLIC PROPERTY; REQUIRING A REVIEW, FINDINGS OF
FACT AND A REPORT TO THE LEGISLATURE FOR DISPOSITIONS OF
CERTAIN REAL PROPERTY WITH A VALUE OF ONE HUNDRED THOUSAND
DOLLARS (\$100,000) OR MORE.

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

SECTION 1. Section 13-6-3 NMSA 1978 (being Laws 1961,
Chapter 41, Section 1, as amended by Laws 2003, Chapter 142,
Section 4 and by Laws 2003, Chapter 349, Section 23) is amended
to read:

"13-6-3. SALE, TRADE OR LEASE OF REAL PROPERTY BY STATE
AGENCIES--APPROVAL OF LEGISLATURE--EXCEPTIONS.--

A. ~~[Any sale, trade or lease for a period exceeding
twenty-five years in duration of]~~ Before real property
belonging to ~~[any]~~ a state agency ~~[which sale, trade or lease~~

.197839.1

underscoring material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 ~~shall be~~ may be sold or traded, or may be leased under an
2 agreement with a term exceeding twenty-five years, for a
3 consideration of one hundred thousand dollars (\$100,000) or
4 more ~~[shall be subject to the ratification and approval of the~~
5 ~~state legislature prior to the sale, trade or lease becoming~~
6 ~~effective. The provision specified in Section 13-6-2 NMSA 1978~~
7 ~~requiring approval of the state budget division of the~~
8 ~~department of finance and administration as a prerequisite to~~
9 ~~consummating such sales or dispositions of realty shall not be~~
10 ~~applicable in instances wherein the consideration for the sale,~~
11 ~~trade or lease shall be for a consideration of one hundred~~
12 ~~thousand dollars (\$100,000) or more and wherein a state agency~~
13 ~~not specifically excepted by Subsection B of this section is a~~
14 ~~contracting party, and, in every such instance, the legislature~~
15 ~~shall specify its approval prior to the sale, trade or lease~~
16 ~~becoming effective]:~~

17 (1) the capitol buildings planning commission
18 shall review the proposed sale, trade or lease; make findings
19 of fact; and report the findings to the legislature; and

20 (2) the legislature shall receive the capitol
21 buildings planning commission report and ratify and approve the
22 proposed sale, trade or lease if the proposed sale, trade or
23 lease is in the best interests of the state or state agency.

24 B. The provisions of this section shall not ~~[be~~
25 ~~applicable as]~~ apply to:

.197839.1

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

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(1) those institutions specifically enumerated
in Article 12, Section 11 of the constitution of New Mexico;
(2) the state land office;
(3) the state transportation commission; or
(4) the economic development department when
disposing of property acquired pursuant to the Statewide
Economic Development Finance Act."