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SENATE BILL 180

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Carroll H. Leavell

AN ACT

RELATING TO SURETYSHIP; PROHIBITING DIRECTED SURETYSHIP;
PRESCRIBING A PENALTY.

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

Section 1. DIRECTED SURETYSHIP PROHIBITED--PENALTY.--

A. An employee of the state or its political subdivisions, or a person acting or purporting to act on behalf of that employee, shall not require a bidder or a proposer in a procurement for a construction contract pursuant to the Procurement Code to make application or furnish financial data for a surety bond or to obtain a surety bond from a particular surety company, insurance company, broker or agent in connection with the bid or proposal.

B. A person who violates Subsection A of this section is guilty of a fourth degree felony and shall be

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1 sentenced in accordance with the provisions of Section 31-18-15
2 NMSA 1978.

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