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## FISCAL IMPACT REPORT

SPONSOR: Lujan DATE TYPED: 03/07/03 HB HJM105

SHORT TITLE: Child Support Claims Statute of Limitations SB \_\_\_\_\_

ANALYST: Weber

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
			NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

Responses Received From  
Human Services Department

### SUMMARY

#### Synopsis of Bill

House Joint Memorial 105 states that:

1. state law currently allows claims for child support to be filed at any time, which is necessary to ensure that unidentified non-custodial parents who cannot be located meet their financial obligations;
2. sometimes even when the identity of the non-custodial parent is known claim for support may not be made in a timely fashion;
3. child support claims should be made in a timely fashion so children are afforded the maximum possible child support; and
4. it may be beneficial to consider a statute of limitations for filing child support claims when the non-custodial parent's identity, and location, are known as long as such statute balances the financial needs and rights of the child.

Therefore, the New Mexico Legislature is requested to direct the appropriate interim legislative committee to study and make recommendations, if any, regarding the enactment of a statute of limitations on filing for certain child support claims.

Significant Issues

The Human Services Department notes the concerns addressed in the memorial were covered by the legislature in 2001 in NMSA 1978 Sec. 40-11-15.C.(1) and (2). There is also an existing statute of limitations on judgments. (See NMSA 1978 Sec. 37-1-2. Judgments.)

MW/njw