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SENATE BILL 105

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Steve Komadina

AN ACT

RELATING TO COMMON LAW; LIMITING THE CREATION AND MODIFICATION
OF CAUSES OF ACTION.

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

Section 1. Section 38-1-3 NMSA 1978 (being Laws 1875-
1876, Chapter 2, Section 2, as amended) is amended to read:

"38-1-3. COMMON LAW ADOPTED-- ~~[SECTION 1]~~ LIMITING NEW
CAUSES OF ACTION. --In all the courts in this state, the common
law as recognized in the United States ~~[of America]~~ shall be
the rule of practice and decision; provided that the courts
shall not create a new cause of action or otherwise alter,
modify or evolve a common law cause of action to address an
issue before the court except for writs of the supreme court
necessary or proper for the complete exercise of its
jurisdiction. "

underscored material = new
[bracketed material] = delete