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AN ACT

RELATING TO LAND GRANTS; CLARIFYING BOARD OF TRUSTEE  
AUTHORITY; CLARIFYING EJECTMENT PROCEDURES.

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

Section 1. Section 49-1-22 NMSA 1978 (being Laws 2004,  
Chapter 124, Section 2) is recompiled as Section 49-1-11.1  
NMSA 1978 and is amended to read:

"49-1-11.1. RIGHTS OF LESSEES AND PURCHASERS.--

A. A person who is not an heir and who has  
purchased or leased property within the limits of a land  
grant-merced shall only have a right to the lands acquired  
through the purchase or lease but not to any common lands  
within the land grant-merced.

B. The provisions of Chapter 49, Article 1 NMSA  
1978 shall not diminish, extinguish or otherwise impair any  
private property interest located within the boundaries of a  
land grant-merced or be construed to grant the board of  
trustees of a land grant-merced regulatory authority over  
such property interests or lands other than the common lands.  
As used in this subsection, "property interest" includes  
valid easements and rights of access, but does not include  
use rights to the common lands of the land grant-merced."

Section 2. Section 49-1-15 NMSA 1978 (being Laws 1907,  
Chapter 42, Section 15, as amended) is amended to read:

1 "49-1-15. REMOVAL FROM LAND GRANT-MERCED--DELINQUENCY--  
2 FORFEITURE.--

3 A. If a person holds in possession or claims in  
4 private ownership, within the exterior boundaries of a land  
5 grant-merced, any tract, piece or parcel of land to which, in  
6 the opinion of the board of trustees, the person has no right  
7 or title, the board may institute an action of ejectment in  
8 district court against the person. If upon the trial it is  
9 determined that such possession is without right, judgment  
10 shall be rendered in favor of the board for possession of the  
11 tract, piece or parcel of land and for such damages as it may  
12 have proved for the wrongful detention.

13 B. Any delinquent heir shall lose all right that  
14 the heir may have had to use the common lands of the land  
15 grant-merced unless the heir pays in full all legal  
16 assessments or dues due by the heir."

17 Section 3. EFFECTIVE DATE.--The effective date of the  
18 provisions of this act is July 1, 2005. \_\_\_\_\_

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