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SENATE BILL 230

**48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007**

INTRODUCED BY

Leonard Lee Rawson

AN ACT

RELATING TO CHURCH PROPERTY; REQUIRING THAT COURTS USE NEUTRAL PRINCIPLES OF LAW IN ADJUDICATING CHURCH PROPERTY RIGHTS; IMPOSING CONDITIONS ON TRUST AGREEMENTS FOR CHURCH PROPERTY.

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

Section 1. ADJUDICATION OF CHURCH PROPERTY RIGHTS.--New Mexico courts shall apply neutral principles of law in resolving church property disputes.

Section 2. CHURCH PROPERTY HELD IN TRUST.--Property of a nonprofit corporation organized for religious purposes shall not be deemed to be impressed with an express, implied, statutory or common law trust unless:

A. the property was received by the corporation with an express written commitment by resolution of its board of directors to hold that property in trust; or

1                   B. the donor of the property expressly imposed a  
2 trust, in writing, at the time of the gift or donation.

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