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HOUSE BILL 254

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Ben Lujan

AN ACT

RELATING TO CONSTRUCTION INDUSTRIES; RESTRICTING APPLICATION
FOLLOWING THE REVOCATION OF A LICENSE OR CERTIFICATE.

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

Section 1. Section 60-13-29 NMSA 1978 (being Laws 1967,
Chapter 199, Section 32, as amended) is amended to read:

"60-13-29. APPLICATION FOLLOWING REVOKED LICENSE OR
CERTIFICATE.--

A. After revocation of any license or certificate
issued pursuant to the Construction Industries Licensing Act,
no person shall be eligible to apply for a new license or
certificate ~~[until]~~ for a period of [one year] not less than
three years and not to exceed five years after the date of the
original order of revocation by the commission has expired.
The time period shall be determined by the commission and shall

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underscoring material = new
[bracketed material] = delete

1 be based on the number and seriousness of the violations on
2 which the revocation was based. The division shall promulgate
3 rules establishing guidelines for determining the appropriate
4 time period in which a person shall not be eligible to apply
5 for a new license or certificate.

6 B. Following the revocation of a [~~contractor's~~]
7 license or a [~~qualifying party's~~] certificate issued pursuant
8 to the Construction Industries Licensing Act, no license or
9 certificate may be issued to [~~that contractor or qualifying~~
10 ~~party~~] an applicant by the division if the director finds that
11 the [~~contractor or qualifying party~~] applicant has, during the
12 period of revocation, engaged in activity that constitutes a
13 violation of any provision of, or rule promulgated pursuant to,
14 the Construction Industries Licensing Act.