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## FISCAL IMPACT REPORT

ORIGINAL DATE 1/28/09

SPONSOR     Keller     LAST UPDATED                      HB                     

SHORT TITLE     Homeowner Association Legal Claim Lawyer Fees     SB     184    

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ANALYST     C. Sanchez    

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Administrative Office of the Courts (AOC)  
Bernalillo County Metropolitan Court (BCMC)

### SUMMARY

#### Synopsis of Bill

Senate Bill 184 creates a new Section providing that attorney fees may be awarded to the prevailing party in civil cases brought by or against a homeowners association. Attorney fees must be reasonable, and are awarded at the discretion of the court.

### FISCAL IMPLICATIONS

There will be a minimal administrative cost for statewide update, distribution and documentation of statutory changes. Any additional fiscal impact on the judiciary would be proportional to the enforcement of this law and commenced prosecutions. New laws, amendments to existing laws and new hearings have the potential to increase caseloads in the courts, thus requiring additional resources to handle the increase.

### WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo.

CS/svb