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HOUSE BILL 144

**50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

INTRODUCED BY

Yvette Herrell

AN ACT

RELATING TO CONSUMER PROTECTION; PROVIDING THAT AUTOMATIC RENEWAL TERMS EXCEEDING ONE MONTH IN CONTRACTS FOR SERVICES TO A CONSUMER CONSTITUTE AN UNFAIR PRACTICE.

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

SECTION 1. A new section of the Unfair Practices Act is enacted to read:

"[NEW MATERIAL] SERVICE CONTRACTS--AUTOMATIC RENEWALS PROHIBITED.--

A. In any contract for services provided to a consumer for or on the consumer's residential property, it is unlawful to require automatic renewal of the contract for a term greater than one month.

B. Nothing in this section shall be construed to prohibit payment in advance of services to be rendered.

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C. A violation of Subsection A of this section  
constitutes an unfair or deceptive trade practice pursuant to  
the Unfair Practices Act."