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FISCAL IMPACT REPORT

SPONSOR Park ORIGINAL DATE 02/16/11
LAST UPDATED _____ HB 184
SHORT TITLE Statutory Use Includes & Including SB _____
ANALYST Daly

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY11	FY12	FY13	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		NFI	NFI			

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)
Administrative Office of the District Attorneys (AODA)
Attorney General's Office (AGO)

SUMMARY

Synopsis of Bill

House Bill 184 adds a definition of the terms "include" and "including" to the Uniform Statute and Rule Construction Act to clarify that these words are terms of enlargement and not of limitation or exclusive enumeration, and their use does not create a presumption that components not expressed are excluded.

FISCAL IMPLICATIONS

No financial implications are anticipated.

SIGNIFICANT ISSUES

The AGO advises that this bill is in response to a recent New Mexico appellate court decision that concluded that the words "include" and "including" are terms of limitation. The AGO also points out that the Legislative Council Service style manual provides that these terms are ones of enlargement and not of limitations or exclusive enumeration, and that the use of these terms does not create a presumption that components not expressed are excluded.

MD/bym