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## FISCAL IMPACT REPORT

SPONSOR SJC ORIGINAL DATE 02/28/19  
LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_  
SHORT TITLE Limitation on Surveying Actions SB 237/SJCS  
ANALYST Montoya

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	NFI	NFI	NFI	NFI	N/A	N/A

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

The Board of Licensure for Professional Engineers and Professional Surveyors (BLPEPS)  
New Mexico Department of Transportation (NMDOT)

### SUMMARY

#### Synopsis of Bill

The Senate Judiciary Committee Substitution for Senate Bill 237 creates a statute of limitations on actions taken against a professional surveyor. Except for an action for fraud, this bill places a statute of repose of 10 years from the date of signature and seal of the professional surveyor on the completed survey, or delivery of the completed survey, whichever date occurs first.

### FISCAL IMPLICATIONS

There is no fiscal impact.

### SIGNIFICANT ISSUES

BLPEPS reports that by not having a surveying statute of limitations, the public is exposed to unnecessary litigious actions. Long established boundaries, surveyed and plated by licensed surveyors, and recognized by adjoining landowners, should be protected from change by resurveys that may differ in results due to changes in technology or professional opinions based on reliance on differing, conflicting evidence.

NMDOT reports that SB237 would provide NMDOT surveyors the same protections as outside surveyors, balancing claims NMDOT could bring against outside surveyors, with the same protections for NMDOT's surveyors.