

<b>LFC Requester:</b>	
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**AGENCY BILL ANALYSIS  
2017 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:**

**[LFC@NMLEGIS.GOV](mailto:LFC@NMLEGIS.GOV)**

*and*

**[DFA@STATE.NM.US](mailto:DFA@STATE.NM.US)**

*{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

*Check all that apply:*

<b>Original</b>	<input checked="" type="checkbox"/>	<b>Amendment</b>	<input type="checkbox"/>	<b>Date</b>	<u>1-23-17</u>
<b>Correction</b>	<input type="checkbox"/>	<b>Substitute</b>	<input type="checkbox"/>	<b>Bill No:</b>	<u>SB14</u>

<b>Sponsor:</b>	<u>William H. Payne</u>	<b>Agency Code:</b>	<u>264</u>
<b>Short</b>	<u>Defective Construction</u>	<b>Person Writing</b>	<u>Gail MacQuesten</u>
<b>Title:</b>	<u>Project Actions</u>	<b>Phone:</b>	<u>466-0532</u>
		<b>Email</b>	<u>gailmacquesten@gmail.com</u>

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY17	FY18		
0	0	n/a	n/a

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY17	FY18	FY19		
0	0	0	n/a	n/a

(Parenthesis ( ) Indicate Expenditure Decreases)

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

	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>	0	0	0	0	n/a	n/a

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:  
Duplicates/Relates to Appropriation in the General Appropriation Act

**SECTION III: NARRATIVE**

**BILL SUMMARY**

Synopsis:

SB14 amends NMSA 1978, Section 37-1-27, the statute setting out a ten year time limit for bringing an action to recover damages for injury to property or persons arising out of defective or unsafe condition of a physical improvement to real property. SB14 exempts from the ten year rule any action in which the plaintiff claims that the defendant knew or should have known that the defendant's construction, design, planning, supervision, inspection or administration of construction involved the use of defective or unsafe construction materials or products.

**FISCAL IMPLICATIONS**

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

There are no fiscal implications for the district attorneys.

**SIGNIFICANT ISSUES**

There are no significant issues for the district attorneys.

**PERFORMANCE IMPLICATIONS**

There are no performance implications for the district attorneys.

**ADMINISTRATIVE IMPLICATIONS**

There are no administrative implications for the district attorneys.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

None noted.

**TECHNICAL ISSUES**

None noted.

**OTHER SUBSTANTIVE ISSUES**

None noted.

**ALTERNATIVES**

None proposed.

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

The ten year statute of limitations will apply to actions in which the plaintiff claims that the defendant knew or should have known that the defendant's construction, design, planning, supervision, inspection or administration of construction involved the use of defective or unsafe construction materials or products.

**AMENDMENTS**

None proposed.