



The Legislature
of the
State of New Mexico

51st Legislature, 1st Session

LAWS 2013

CHAPTER _____

SENATE BILL 159, as amended

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Introduced by

SENATOR JOSEPH CERVANTES
SENATOR PETER WIRTH



FOR THE COURTS, CORRECTIONS AND JUSTICE COMMITTEE

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AN ACT

RELATING TO COURTS; PROVIDING FOR RECIPROCAL ATTORNEY FEE
AWARD PROVISIONS IN CERTAIN CIVIL CASES.

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

SECTION 1. ATTORNEY FEES--RECIPROCAL RIGHT TO RECOVER
ATTORNEY FEES.--

A. A court may award reasonable attorney fees as
part of the costs to a party that prevails in any civil
action that is:

(1) based on any promissory note, written
contract or other writing executed on or after July 1, 2014
if the provisions of the promissory note, written contract or
other writing allow at least one party to recover attorney
fees; and

(2) commenced on or after July 1, 2014.

B. As used in this section, "writing" does not
include the provisions of a constitution, statute, rule,
regulation, order, judgment, decree, ordinance, code or
similar promulgation, however denominated.

C. A waiver, release or relinquishment of a right
conferred pursuant to this section, executed on or after
July 1, 2014, is void, unless it is executed as part of a
complete settlement of a bona fide dispute.

D. This section declares the public policy of

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1 New Mexico.

2 SECTION 2. EFFECTIVE DATE.--The effective date of the
3 provisions of this act is July 1, 2014. _____

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MARCH 20 2014

s/John A. Sanchez
John A. Sanchez, President
Senate

s/Lenore M. Naranjo
Lenore M. Naranjo, Chief Clerk
Senate

s/W. Ken Martinez
W. Ken Martinez, Speaker
House of Representatives

s/Stephen R. Arias
Stephen R. Arias, Chief Clerk
House of Representatives

Approved by me this _____ day of _____, 2013

s/Governor Susana Martinez
Governor Susana Martinez
State of New Mexico

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