

1 HOUSE BILL 553

2 **57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

3 INTRODUCED BY

4 Harlan Vincent and Roberto "Bobby" J. Gonzales

5 and Jimmy G. Mason and Doreen Y. Gallegos

6 and Meredith A. Dixon

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9  
10 AN ACT

11 RELATING TO TIMBER; ENACTING THE TIMBER GRADING ACT; PROVIDING  
12 FOR IN-STATE STRUCTURAL TIMBER GRADING CERTIFICATES; PROVIDING  
13 FOR THE USE OF STRUCTURAL TIMBER THAT IS GRADED AND LABELED IN-  
14 STATE; MAKING AN APPROPRIATION.

15  
16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be  
18 cited as the "Timber Grading Act".

19 SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the  
20 Timber Grading Act:

21 A. "building inspector" means a person certified by  
22 the construction industries division of the regulation and  
23 licensing department and certified by one or more trade bureaus  
24 to conduct inspections of permitted construction work to ensure  
25 that all work performed by a contractor or homeowner complies

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1 with applicable building codes;

2 B. "certificate" means the document provided to a  
3 person after completion of a program that allows that person to  
4 engage in timber grading and labeling as a grader;

5 C. "division" means the forestry division of the  
6 energy, minerals and natural resources department;

7 D. "grader" means the owner of a sawmill or a  
8 person employed by a sawmill who is certified to inspect, grade  
9 and label structural timber at that sawmill;

10 E. "label" means a document that provides  
11 information on the grade of structural timber that was milled  
12 in-state;

13 F. "program" means the structural timber grading  
14 certificate program; and

15 G. "structural timber" means dimensional lumber,  
16 structural beams and vigas milled in-state.

17 SECTION 3. [NEW MATERIAL] DIVISION POWERS AND DUTIES--  
18 STRUCTURAL TIMBER GRADING SYSTEM--STRUCTURAL TIMBER GRADING  
19 CERTIFICATE PROGRAM--STRUCTURAL TIMBER GRADING CERTIFICATE.--

20 A. The division shall:

21 (1) create a structural timber grading  
22 certificate program accessible to sawmill owners and the  
23 employees of sawmills to provide training on structural timber  
24 grading and labeling. The program may be provided by a public  
25 post-secondary educational institution;

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1                   (2) develop a state-specific system to grade  
2 and label structural timber based on the system used by the  
3 American lumber standard committee;

4                   (3) issue a structural timber grading  
5 certificate to a person who completes the program; and

6                   (4) promulgate rules to carry out the  
7 provisions of the Timber Grading Act, including for the:

8                               (a) awarding of certificates;

9                               (b) training components of the program;

10                              (c) qualification of program

11 instructors; and

12                              (d) grounds and processes for the  
13 suspension or revocation of certificates.

14                   B. The division may charge a fee not to exceed two  
15 hundred fifty dollars (\$250) for the issuance of a certificate.

16                   C. A certificate shall include the name of the  
17 recipient and the date of issuance and shall expire after five  
18 years.

19                   D. The division may suspend or revoke a certificate  
20 for good cause as provided by rule. The grader shall be given  
21 notice of the reason for suspension or revocation and given the  
22 opportunity for a hearing. Procedures for the notice, hearing  
23 and final decision shall be provided by rule in conformity with  
24 the Uniform Licensing Act. A final agency decision may be  
25 appealed as provided in Section 39-3-1.1 NMSA 1978.

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1           SECTION 4.   [NEW MATERIAL] STRUCTURAL TIMBER GRADING

2 LABEL--USE OF STRUCTURAL TIMBER IN CONSTRUCTION.--

3           A. A grader shall prepare a label for structural  
4 timber that has been graded and shall provide the label to the  
5 purchaser of the structural timber. The label shall include  
6 the following information:

7                       (1) the name of the grader;

8                       (2) the name and location of the sawmill where  
9 the timber was processed;

10                      (3) the name of the timber species;

11                      (4) the quantity and type of structural timber  
12 that was graded and labeled;

13                      (5) the location where the timber is to be  
14 used;

15                      (6) the date that the timber was cut and  
16 processed;

17                      (7) the date on which the timber was graded;  
18 and

19                      (8) the moisture content of the timber at the  
20 time of grading.

21           B. A grader shall only grade and label structural  
22 timber that the grader has processed at the sawmill the grader  
23 owns or is employed by.

24           C. Structural timber that has been graded and  
25 certified in-state may be used in all residential and

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1 commercial buildings in the state.

2 D. The end user of structural timber that has been  
3 graded and labeled in-state shall provide the label to the  
4 building inspector in lieu of a grade stamp, and the label  
5 shall be accepted as proof of grading. Timber that has been  
6 graded and labeled in-state is equivalent to structural timber  
7 grade stamped by an accredited lumber grading or inspection  
8 agency.

9 SECTION 5. APPROPRIATION.--One hundred fifty thousand  
10 dollars (\$150,000) is appropriated from the general fund to the  
11 energy, minerals and natural resources department for  
12 expenditure in fiscal year 2026 to contract with timber grading  
13 experts to establish the structural timber grading certificate  
14 program and to develop curricula for the program. Any  
15 unexpended or unencumbered balance remaining at the end of  
16 fiscal year 2026 shall revert to the general fund.