

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

AN ACT

RELATING TO PUBLIC BUILDINGS; PROVIDING FOR STATE COMPLIANCE WITH THE NATIONAL FLOOD INSURANCE PROGRAM.

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

SECTION 1. Section 13-5-3.1 NMSA 1978 (being Laws 2003, Chapter 310, Section 2) is amended to read:

"13-5-3.1. PUBLIC BUILDINGS--COMPLIANCE WITH THE NATIONAL FLOOD INSURANCE PROGRAM.--

A. The homeland security and emergency management department, as the state coordinating agency for the national flood insurance program, is designated as the state agency responsible for compliance oversight of that program and shall adopt rules to implement standards for meeting federal floodplain management regulations as set forth in 44 C.F.R. Sections 60.3 through 60.5.

B. The construction industries division of the regulation and licensing department is the state agency designated to review, permit and enforce floodplain management rules for all buildings that are owned or funded, in whole or in part, by the state.

C. Development that is owned or funded, in whole or in part, by the state shall obtain:

(1) floodplain review by a certified floodplain management professional prior to the start of

1 development; and

2 (2) required permits prior to the start of
3 development.

4 D. Development that is owned or funded, in whole
5 or in part, by the state shall comply with the most stringent
6 criteria of locally adopted community floodplain management
7 regulations and floodplain management rules adopted by the
8 homeland security and emergency management department.

9 E. As used in this section, "development" has the
10 meaning set forth in 44 C.F.R. Section 59.1."

11 SECTION 2. EFFECTIVE DATE.--The effective date of the
12 provisions of this act is July 1, 2022. _____

13
14
15
16
17
18
19
20
21
22
23
24
25