

LFC Requester: _____

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.gov

(Analysis must be uploaded as a PDF)

SECTION I: GENERAL INFORMATION

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

Date Prepared: 1/29/2025 *Check all that apply:*
Bill Number: HB 85 Original Correction
 Amendment Substitute

Sponsor: Kathleen Cates **Agency Name and Code Number:** General Services Division - 350
Short Title: Prohibit of Nonfunctional Turf **Person Writing:** Peter Barrington
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

| Appropriation | | Recurring or Nonrecurring | Fund Affected |
|---------------|------|---------------------------|---------------|
| FY25 | FY26 | | |
| N/A | N/A | N/A | N/A |
| | | | |

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

| Estimated Revenue | | | Recurring or Nonrecurring | Fund Affected |
|-------------------|------|------|---------------------------|---------------|
| FY25 | FY26 | FY27 | | |
| 0 | 0 | 0 | Recurring | |
| | | | | |

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

| | FY25 | FY26 | FY27 | 3 Year Total Cost | Recurring or Nonrecurring | Fund Affected |
|--------------|---------------|---------------|---------------|-------------------|---------------------------|---------------|
| Total | Indeterminate | Indeterminate | Indeterminate | Indeterminate | Recurring | |

(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: The proposed legislation prohibits the installation of non-functional turf on state-owned or state-funded property beginning in 2027, as well as prohibiting the use of water other than recycled or reclaimed water to irrigate non-functional turf on state-owned or state-funded property beginning in 2032. The Act also seeks to require all non-functional turf on state-owned or state-funded property that is removed to be replaced with drought-and-climate-resilient landscaping beginning in 2032.

FISCAL IMPLICATIONS

The General Services Department manages properties throughout the state. The bill will have a significant impact on the Facilities Management Division of the General Services Department. A survey and assessment will have to be conducted to identify properties that fall within the definitions of the bill. There will be a significant cost to remove turf and replace it and there will be costs associated with capturing or procuring reclaimed water. There may be positive fiscal implications by reducing overall utility (water) costs and maintenance and upkeep costs associated with watering and maintenance upkeep of the non-functional turf on state-owned or state-funded property.

SIGNIFICANT ISSUES

The proposed bill provides for the removal of non-functional turf (irrigated turf grass that has no recreational purpose or that is primarily decorative) on state-owned or state-funded property and mandates non-functional turf to be replaced with drought-and-climate-resilient landscaping beginning in 2032. Drought-and-climate-resilient landscaping includes efficient irrigation systems, such as drip, water harvesting and reuse systems, organic mulches, xeriscaping, trees, and other plants that, once established, require little to no supplemental water, such as native and drought-tolerant plants.

PERFORMANCE IMPLICATIONS

The Facilities Management Division's workload will increase because an assessment will be required of all properties throughout the state. Additional funding will be required to replace non-functional turf with drought and climate resilient landscaping.

ADMINISTRATIVE IMPLICATIONS

This legislation creates additional work for the FMD. Staffing levels at GSD are not sufficient to manage the current workload, staff will be diverted to focus on this new unfunded program.

CONFLICT, DUPLICATION, COMPANION SHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

This bill will have a direct impact on state facilities under the authority of the General Services

Department but other state properties such as the museums under the Department of Cultural Affairs, public schools and higher education institutions that typically receive 100 percent of state funding will also be affected. Additional funding will be needed for all these institutions to conduct assessments and replace turf with non-functional turf or landscaping.

ALTERNATIVES

An alternative would be to require non-functional turf or drought and climate resilient landscaping for major renovations or new construction. This will allow the costs to be included in the initial renovation/construction costs.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS