

LFC Requestor: HILLA, Emily

2025 LEGISLATIVE SESSION
AGENCY BILL ANALYSIS

Section I: General

Chamber: House
Number: 290

Category: Bill
Type: Introduced

Date (of THIS analysis): 02/07/2025

Sponsor(s): Andrea Romero, Christine Chandler, Kathleen Cates

Short Title: Vibrant Communities Act

Reviewing Agency: Agency 665 - Department of Health

Analysis Contact Person: Arya Lamb

Phone Number: 505-470-4141

e-Mail: Arya.Lamb@doh.nm.gov

Section II: Fiscal Impact

APPROPRIATION (dollars in thousands)

Appropriation Contained		Recurring or Nonrecurring	Fund Affected
FY 25	FY 26		
\$ 0.00	\$ 0.00	N/A	N/A

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY 25	FY 26	FY 27		
\$ 0.00	\$ 0.00	\$ 0.00	N/A	N/A

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY 25	FY 26	FY 27	3 Year Total Cost	Recurring or Non-recurring	Fund Affected
Total	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	N/A	N/A

Section III: Relationship to other legislation

Duplicates: None

Conflicts with: None

Companion to: HJ11

Relates to: None

Duplicates/Relates to an Appropriation in the General Appropriation Act: None

Section IV: Narrative

1. BILL SUMMARY

a) Synopsis

HB 290 would enact the Vibrant Communities Act which would provide public assistance for the purpose of completion of public purpose projects upon appropriation by legislature. The program would be administered by the department of public finance and require reporting and submission of projects for consideration.

This bill has a contingent effective date related to HJR11, a proposal to amend the State constitution to allow public funds to be used for public purposes by private persons, non-profits, or private entities.

Is this an amendment or substitution? Yes No

Is there an emergency clause? Yes No

b) Significant Issues

In 2019 the legislature passed HB137, creating the County and Tribal Health Councils Act. The purpose of the County and Tribal Health Councils Act is to improve the health of New Mexicans by encouraging the development of comprehensive, community-based health planning councils to identify and address local health needs and priorities. HB137 also clearly identifies the roles and responsibilities of Health Councils (HCs) and the Department of Health.

Pursuant to HB137, HCs must monitor health and health care programs and services in order to identify potential gaps and to reduce potential duplication, collaborate with other entities to develop programs, networks, partnerships and coalitions as necessary to improve health, advise the board in its jurisdiction and other entities regarding policies that affect health, facilitate communication among local jurisdictions, state agencies and other entities, and identify additional public and private resources to improve health.

In New Mexico there are currently 33 Health Councils and 10 Tribal Health Councils, of which 42 Health Councils receive funding from NMDOH. HC budgets vary from a low of \$72,000 to a high of over \$1,100,000. Some HCs only utilize NMDOH funds while others have received funding from counties, grants, and other sources. HB290 has the potential to expand the funding sources for all health councils throughout the state.

HB290 establishes the legislative framework that would take effect if HJ11, a measure to repeal the anti-donation clause, were to pass. This framework would create a process allowing the state, counties, school districts, or municipalities to allocate public funds to private entities for initiatives aimed at improving public health. The legislation does not provide a clear definition of eligible projects, which would allow individual health councils to propose initiatives outside the existing funding structure managed by the Department of Health. Combined with the changes in HJ11, which seeks to repeal parts of the state's anti-donation clause, this could introduce new funding opportunities for health councils, though these funds would likely be designated for specific projects. As a result, health councils may have greater flexibility to address community needs, as outlined in HB137.

2. PERFORMANCE IMPLICATIONS

- Does this bill impact the current delivery of NMDOH services or operations?
 Yes No
If yes, describe how.
- Is this proposal related to the NMDOH Strategic Plan? Yes No
 - Goal 1:** We expand equitable access to services for all New Mexicans
 - Goal 2:** We ensure safety in New Mexico healthcare environments
 - Goal 3:** We improve health status for all New Mexicans
 - Goal 4:** We support each other by promoting an environment of mutual respect, trust, open communication, and needed resources for staff to serve New Mexicans and to grow and reach their professional goals

3. FISCAL IMPLICATIONS

- If there is an appropriation, is it included in the Executive Budget Request?
 Yes No N/A
- If there is an appropriation, is it included in the LFC Budget Request?
 Yes No N/A
- Does this bill have a fiscal impact on NMDOH? Yes No

4. ADMINISTRATIVE IMPLICATIONS

Will this bill have an administrative impact on NMDOH? Yes No

5. DUPLICATION, CONFLICT, COMPANIONSHIP OR RELATIONSHIP

HB290 is a companion bill to HJR11 which repeal portions of the anti-donation clause in the state constitution and require a legislative mechanism for distributing public funds to private entities for the good of the public.

6. TECHNICAL ISSUES

Are there technical issues with the bill? Yes No

7. LEGAL/REGULATORY ISSUES (OTHER SUBSTANTIVE ISSUES)

- Will administrative rules need to be updated or new rules written? Yes No
- Have there been changes in federal/state/local laws and regulations that make this legislation necessary (or unnecessary)? Yes No
- Does this bill conflict with federal grant requirements or associated regulations?
 Yes No
- Are there any legal problems or conflicts with existing laws, regulations, policies, or programs? Yes No

8. DISPARITIES ISSUES

None

9. HEALTH IMPACT(S)

None

10. ALTERNATIVES

None

11. WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

If HB 290 is not passed these funds would not be available to public entities on the contingency of the passage of HJ11.

12. AMENDMENTS

None