

LFC Requester:	Felix Chavez
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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: 2/10/2025 *Check all that apply:*
Bill Number: HB307 Original Correction
 Amendment Substitute

Sponsor:	Rep. Pamela Herndon, Rep. Angelica Rubio	Agency Name and Code	790 – Department of Public Safety
Short Title:	INTERNET PRIVACY & SAFETY ACT	Number:	
		Person Writing	<u>Kent Augustine</u>
		Phone:	<u>50-709-5264</u>
		Email:	<u>kent.augustine@dps.nm.gov</u>

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
NFI	NFI	N/A	N/A

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
NFI	NFI	NFI	N/A	N/A

(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	NFI	NFI	NFI	NFI	N/A	N/A

(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

Establishes procedures and prohibitions to protect consumers of online products and services from exposure of personal information. Provides penalties in Section 8: An online provider that violates the Internet Privacy and Safety Act is

- Subject to injunctive relief to cease or correct the violation
- Liable for a civil penalty of up to \$2,500 per consumer for each negligent violation
- Liable for a civil penalty of up to \$7,500 per consumer for each intentional violation.

An affected consumer may seek relief in district court

This bill is very comprehensive in favor of consumer protection. For instance, in Section 2 Y, “‘publicly available information,’ except the information listed in Subsection Z of this section, means information that has been lawfully made available to the general public....” Subsection Y lists many exceptions that practically swallow the entire definition in Subsection Y, excluding aggregating data from multiple public sources, financial data, government-issued identifiers, etc.

An important part at the end of the bill in Section 11 is that it requires that by April 1, 2026, the New Mexico Department of Justice shall adopt rules for implementation of the act. By November 30, 2026, and annually thereafter, the department shall report to the interim legislative committee tasked with examining internet-related issues on the requirements of federal laws and regulations and recommendations for conforming changes to the New Mexico Internet Privacy and Safety Act. This is an ever-developing area of law, especially with the rapidly growing area of artificial intelligence. Future updates and revisions of this bill will likely need to address the effects of artificial intelligence on internet privacy and safety.

FISCAL IMPLICATIONS

No fiscal impact to DPS.

SIGNIFICANT ISSUES

No fiscal impact to DPS.

PERFORMANCE IMPLICATIONS

No performance implications to DPS.

ADMINISTRATIVE IMPLICATIONS

No fiscal impact to DPS.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

No conflict, duplication, companionship or relationship to DPS.

TECHNICAL ISSUES

No technical issues to DPS.

OTHER SUBSTANTIVE ISSUES

No other substantive issues to DPS.

ALTERNATIVES

Not applicable as no impact to DPS.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo will remain.

AMENDMENTS

None at this time.