

<b>LFC Requester:</b>	<b>Austin Davidson</b>
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**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**

**[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto: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:** HB 328 Original  Correction   
 Amendment  Substitute

**Sponsor:** Rep. Randall T. Pettigrew **Agency Name** 430 – Public Regulation  
Rep. Mark B. Murphy **and Code** Commission  
**Short Title:** REPEAL CLEAN FUEL **Number:** \_\_\_\_\_  
STANDARDS **Person Writing** Ed Rilkoff  
**Title:** STANDARDS **Phone:** (505)490-2696 **Email** jerri.mares@prc.nm.gov

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis ( ) indicate revenue decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>						

(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:

HB 328 repeals provisions related to the Clean Transportation Fuel Standard (CTFS) program in New Mexico and prohibits the adoption or continuation of rules that establish such a standard.

##### Key Provisions:

1. Repeals the Clean Transportation Fuel Standard Program
  - HB 328 repeals Section 74-1-18 NMSA 1978, which was enacted as part of the Clean Transportation Fuel Standard program under the 2024 legislation.
2. Removes definitions in Section 74-1-3 related to “carbon intensity” and Section 74-1-7 “fuel lifecycle” from the Environmental Improvement Act.
3. Prohibition of Clean Transportation Fuel Standard Rules
  - HB 328 explicitly prevents the Environmental Improvement Board from adopting or maintaining any rules related to a clean transportation fuel standard.

#### **FISCAL IMPLICATIONS**

None to the PRC.

#### **SIGNIFICANT ISSUES**

Significant resources have already been expended on implementing the Clean Transportation Fuel Standard program.

#### **PERFORMANCE IMPLICATIONS**

None.

#### **ADMINISTRATIVE IMPLICATIONS**

None.

#### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

HB 328 conflicts with SB 99 NO FUEL LESS-THAN-ZERO CARBON INTENSITY. SB 99 amends the Clean Transportation Fuel Standard program, Section 74-1-18 NMSA, by not allowing fuels to have a carbon intensity value below zero and HB 328 proposes to repeal Section 74-1-18 NMSA.

#### **TECHNICAL ISSUES**

None

**OTHER SUBSTANTIVE ISSUES**

None.

**ALTERNATIVES**

None

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Status quo.

**AMENDMENTS**

None