

LFC Requester:	Jeannae Leger
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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}

Bill Number: 2.12.25 *Check all that apply:*
HB358 Original Correction
 Amendment Substitute

Sponsor: Randall T. Pettigrew **Agency Name and Code** New Mexico Retiree Health Care Authority 34300
Short Title: Interim Administrative Rules Oversight Committee **Person Writing** Mark Hayden
Phone: 505-377-9012 **Email** mark.hayden@rhca.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
Total	\$0	\$0	\$0	\$0	Non-recurring	

(Parenthesis () Indicate Expenditure Decreases)

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: The proposed legislation establishes the Interim Administrative Rule Oversight Committee in New Mexico, to enhance legislative oversight of rules proposed by executive agencies. The committee will consist of twelve members appointed by the leaders of both chambers of the legislature, serving two-year terms. Its primary responsibilities include reviewing proposed rules, assessing their fiscal implications, making recommendations, and facilitating communication between legislative bodies and executive agencies. The committee is required to meet at least once a month during interim periods and must consider various factors, including legal implications and compliance with established notice requirements.

FISCAL IMPLICATIONS

The Bill requires a legislative review if the proposed rule's estimated cost exceeds \$1,000,000. The agency may incur additional costs to comply with the new requirements for fiscal impact analysis. Preparing additional statements will require resources, including staff time and potentially hiring external consultants for complex rules. The fiscal amount is difficult to determine as this may vary based on the type of rule change.

SIGNIFICANT ISSUES

Depending on the recommended changes to the proposed rule may conflict with the intent of the original rule and the authority granted to the NMRHCA Board of Directors to review and approve such rule changes.

PERFORMANCE IMPLICATIONS

The establishment of the oversight committee will add another step to the rulemaking process, and the agency may need to provide additional documentation to justify our proposed rule to the committee and/or incorporate recommendations before proceeding.

ADMINISTRATIVE IMPLICATIONS

The agency will need to revise the rulemaking processes to incorporate any additional fiscal impact statements and analysis required by the oversight committee outside of the normal analysis. In addition, staff will need to adjust internal protocols and incorporate the new requirements of the rulemaking process as outlined in the Bill to ensure compliance.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

HB358 conflicts with the authority granted to the Board of Directors under 10-7C-5. Authority Created and 10-7C-6 Board created; membership; authority for the New Mexico Retiree Health Care Authority, as it relates to the administration of the Retiree Health Care Act.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The rulemaking process continues without this administrative rule oversight committee.

AMENDMENTS

None.