

<b>LFC Requester:</b>	<i>Jeannae Leger</i>
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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:** 2/12/25 *Check all that apply:*  
**Bill Number:** HB 358 Original  Correction   
 Amendment  Substitute

**Sponsor:** R. Pettigrew **Agency Name and Code:** NM CVRC/ 78000  
**Short Title:** Interim Admin Rules Oversight Committee **Number:** \_\_\_\_\_  
**Person Writing:** Claire Harwell/Frank Zubia  
**Phone:** 505-553-1223 **Email:** Frank.Zubia@cvrc.nm.gov

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
0	2M	Recurring	General

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
0	0	0	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
<b>Total</b>	0	0	0	0	n/a	n/a

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: n/a  
Duplicates/Relates to Appropriation in the General Appropriation Act : n/a

### **SECTION III: NARRATIVE**

#### **BILL SUMMARY**

*The bill would create a politically appointed committee of 12 members and up to four staff members to review all proposed rule-making by state agencies. The committee would be appointed by leadership of both chambers of the Legislature with each party appointing an equal number of members. The term of appointment would be 2 years. The committee would review all proposed rule changes, make recommendations to the agency and to the legislature, may suggest repeal of rule-making authority of an agency, and would issue an analysis of the rule. Fiscal impact reporting would be required of the agency when the expected cost of the rule would exceed 1M, and may be sought when the committee deems it necessary for lesser expenditures. In FY26, the bill would allocate 2M from the General Fund to the Legislative Council Service for staff and other costs related to the committee. Unexpended funds would revert at the end of the fiscal year.*

*Synopsis: The bill creates an oversight committee and a staff to review all proposed rule-making by state agencies. A fiscal impact statement would be required for expenditures related to proposed rule changes whenever the cost would be over 1M, and may be sought in some instances at the discretion of the committee when the cost of the rule change would be less than 1M. 2M would be allocated from the General Fund to the LCS for staffing and other costs associated with the new committee.*

#### **FISCAL IMPLICATIONS**

*CVRC doesn't anticipate significant fiscal impact because CVRC rules are rarely changed.*

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

#### **SIGNIFICANT ISSUES**

*The oversight committee created by the bill differs from other existing oversight committees that serve a quality assurance function in a specific area of administrative action. In those instances, individuals with expertise relevant to the function reviewed may be selected to serve as reviewers. This bill creates a politically appointed committee that reviews the use of the executive branch's authority for rule-making in all areas of governance, making it impossible to select individuals with expertise in all relevant areas reviewed. In this scenario, it appears that the bill runs afoul of the separation of powers between the Executive and Legislative branches of government.*

#### **PERFORMANCE IMPLICATIONS**

*The bill creates new responsibilities for state agency employees without funding allocated to staff those duties.*

*Prioritizing accessibility, flexibility, and effectiveness for crime victims, along with victim-centered policies are all the core of CVRC's efforts to serve New Mexicans. Adding administrative burdens are likely to impede these efforts.*

**ADMINISTRATIVE IMPLICATIONS**

*Streamlining administrative processes would better serve governmental efficiency and efficacy. New steps in rule-making will lengthen the process of rule-making in all but emergency rule-making.*

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

*n/a.*

**TECHNICAL ISSUES**

*Technical knowledge of a myriad of agency programs and constituent needs in those contexts would be required to fulfill the roles of the appointees.*

**OTHER SUBSTANTIVE ISSUES**

*None noted.*

**ALTERNATIVES**

*None suggested.*

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

*Existing processes for rule making would continue.*

**AMENDMENTS**

*None suggested.*