

LFC Requester:	Emily Hilla
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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: 2/14/25 *Check all that apply:*
Bill Number: HB 425 Original Correction
 Amendment Substitute

Sponsor: Reps. Armstrong, Dow, and Parajon **Agency Name and Code Number:** 430 – Public Regulation Commission
Short Title: Rulemaking Agency Response to Public Comment **Person Writing:** Scott Cameron
Title: Response to Public Comment **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
Total						

(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 425 proposes to amend the State Rules Act as follows:

Section 1 of the Bill would modify the State Rules Act (“the SRA”) to require agencies doing rulemaking to respond in writing to each public comment received.

Section 2 of the Bill would modify the SRA to have the same response requirements, as well as adding a new subsection with specific requirements for the agency response.

FISCAL IMPLICATIONS

SIGNIFICANT ISSUES

As a regulatory agency, the Public Regulation Commission is required to engage in rulemaking on a frequent basis. Since the Commission oversees public utilities and telecom in the public interest, its work attracts a lot of attention from ratepayers, and public comments on rulemakings can be voluminous.

PERFORMANCE IMPLICATIONS

Requiring the PRC to respond in writing to every public comment with such specificity would result in an inordinate amount of resources, further complicating rulemaking and delaying the implementation of important, statutorily required rules.

ADMINISTRATIVE IMPLICATIONS

Requiring the PRC to respond in writing to every public comment with such specificity would result in an inordinate amount of resources, further complicating rulemaking and delaying the implementation of important, statutorily required rules.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo

AMENDMENTS

N/A