

<b>LFC Requester:</b>	<b>Scott Sanchez</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:** 2/19/2025 *Check all that apply:*  
**Bill Number:** HB 436 Original  Correction   
 Amendment  Substitute

**Sponsor:** Rep. Rod Montoya & Rep. Elaine Sena Cortez **Agency Name and Code** Department of Military Affairs 70500  
**Short Title:** Exemptions for Emergency Closures **Person Writing** Tamara D. Elam  
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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
0	0	NA	NA

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
0	0	0	NA	NA

(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	NA	NA

(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: This Bill is amending sections in NMSA Chapter 12 Articles 10 and 12 as it relates to public emergencies and the closure of certain businesses or facilities and that include exemptions for some business or facilities. With this bill exemptions for facilities operated by religious organizations that are tax exempt under section 501(c)(3) of the Federal Internal Revenue Code of 1986 will be included under the All Hazard Emergency Management Act, the Public Health Emergency Response Act, The Riot Control Act or the Energy Emergency Powers Act. In addition, language has been added that outlines remedies available to a person or entity harmed by a violation of the related section.

**FISCAL IMPLICATIONS** – No Fiscal Impact (NFI)

**SIGNIFICANT ISSUES** – None noted.

**PERFORMANCE IMPLICATIONS** – None Noted

**ADMINISTRATIVE IMPLICATIONS** – None Noted.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP** – None Noted.

**TECHNICAL ISSUES** – None Noted.

**OTHER SUBSTANTIVE ISSUES** – None noted.

**ALTERNATIVES** – None noted.

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL** – Exemptions for facilities operated by religious organizations would not be included under the All Hazard Emergency Management Act, the Public Health Emergency Response Act, The Riot Control Act or the Energy Emergency Powers Act, in addition remedies would not be awarded to a person or entity harmed by a violation.

**AMENDMENTS** – None noted.