

LFC Requester:	
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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: 1/28/2025 *Check all that apply:*
Bill Number: SB 34 Original Correction
 Amendment Substitute

Sponsor: Elizabeth Stefanics **Agency Name and Code:** Economic Development Department
Short Title: Outdoor Light Requirements and Exemptions **Number:** 41900
Person Writing: Shane Shariff/Steve Graham/Carrie Wells
Phone: 505-819-8948 **Email:** carrie@nmfilm.com

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
\$0.00	\$0.00	NA	NA
\$0.00	\$0.00	NA	NA

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
\$0.00	\$0.00	\$0.00	NA	NA
\$0.00	\$0.00	\$0.00	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
Total	\$0.00	\$0.00	\$0.00	\$0.00	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:

Senate Bill 34 (SB34) revises the Night Sky Protection Act to update outdoor lighting requirements. Key changes include:

- Mandating that outdoor lighting fixtures installed after July 1, 2025, mounted more than four feet above the ground, must be fully shielded.
- Adding exemptions for roadway navigation and safety signs on interstates, temporary outdoor lighting for construction, emergency services, or film and television production, among others.
- Removing exemptions for certain advertisement signs and light fixtures with automatic shut-off devices.
- Updating definitions and repealing Section 74-12-2 NMSA 1978

FISCAL IMPLICATIONS

The fiscal implications of Senate Bill 34 depend on the enforcement mechanisms and potential costs to municipalities and state agencies for compliance and monitoring. The direct fiscal impacts are likely negligible.

SIGNIFICANT ISSUES

Concerning film and television production, the exemption allows the thriving film and television industry in the state to not have to fear being out of compliance with the Night Sky Protection Act during night shooting.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The State estimates that roughly 30% of the filming from the film and television industry in New Mexico occurs at night. If the Night Sky Protection Act did interfere with nighttime filming, it would likely drive filming away from the state. The film and television industry has contributed over \$7.3 billion to New Mexico's economy, creating jobs and opportunities statewide.

AMENDMENTS