

LFC Requester:

Austin Davidson

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: 2/3/2025

Check all that apply:

Bill Number: SB 188

Original x Correction
Amendment Substitute

Sponsor: Sens. Woods, Stefanics, R.
Zamora and Hamblen

Agency Name and Code Number: 305 – New Mexico
Department of Justice

Short Title: ROOFTOP SOLAR PANEL
INSTALLATION
COMPLAINTS

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
	100	NR	General

(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

This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator’s request. The analysis does not represent any official policy or legal position of the NM Department of Justice.

SB 188 is an appropriation of \$100,000 to Energy Minerals and Natural Resources Department (“EMNRD”) to create a link on its webpage that directs users seeking to file a complaint against a rooftop solar panel installer to a page on the New Mexico Department of Justice’s website.

BILL SUMMARY

Synopsis:

SB 188 appropriates \$100,000 from the general fund to EMNRD for expenditure in 2026 for the purpose of creating a link on its website that directs users to the NMDOJ’s website “that displays consumer complaints filed against rooftop solar panel installers and includes directions for consumers to file complaints against rooftop solar installers.” Any unencumbered balances at the end of 2026 would revert to the general fund.

FISCAL IMPLICATIONS

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

NMDOJ’s website does not presently have a page that matches the description set forth in the bill. Making complaints public before they have been investigated and substantiated would likely violate the due process rights of the business. In addition, prematurely publishing unverified complaints erode the public confidence in the office and its commitment to fair legal practices and expose it to liability.

The bill is narrowly targeted to “rooftop solar installers,” a category of industry participants that is not defined in this bill.

The bill appropriates funds to ENMRD to implement a link to a webpage that would be created by NMDOJ. Its unclear whether any funds could be expended that would aid in the development of NMDOJ’s webpage, if this bill were passed in its current form.

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

SB 65 Consumer Solar Protection Act provides definitions for “residential solar energy systems” and broadly describes prohibited actions of “sellers and installers.” Rooftop solar installers referenced in SB 188 would fall within the category of sellers and installers, but it is unclear that all sellers and installers would be rooftop installers.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS