

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: February 5, 2025 Check all that apply:

Bill Number: SB254 Original Correction

Amendment Substitute

Sponsor: Michael Padilla
Cybersecurity Office and
Advisory Committee Changes

**Agency Name
and Code**

Office of Broadband Access and
Expansion - 36100

Number:

Person Writing

Cass Brulotte

Short

Title:

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
0	0		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

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

(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	Unknown	Unknown	Unknown			

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: N/A
Duplicates/Relates to Appropriation in the General Appropriation Act: HB2

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: This bill amends the Cybersecurity Act to expand the scope of the Office of Cybersecurity's responsibility for IT infrastructure for all entities connected to a state-operated or state-owned telecommunications network, rather than only networks operated or owned by a state agency. It further adjusts the membership of the Cybersecurity Advisory Committee.

FISCAL IMPLICATIONS

OBAE is currently subject to the Cybersecurity Act, so there will be no fiscal impact on the operations of our agency.

However, as noted below, it is unclear if the bill will impact the Statewide Education Network, which OBAE administers.

SIGNIFICANT ISSUES

OBAE launched the Statewide Education Network (SEN) in 2024. The SEN is funded by a combination of federal and state funding, and will connect all interested public schools and public libraries together to scalable, reliable, affordable, and secure internet. The SEN also serves as the foundation for the state-coordinated "middle mile," or "broadband highway." As currently configured the SEN does not connect to any network operated by DoIT for state agencies.

OBAE has retained experts to develop a SEN cybersecurity framework that aligns with the State Cybersecurity Plan and includes fully managed DDOS, IPS, and IDS to ensure the broadband being delivered on the SEN is safe.

The bill does not define "state-operated or state-owned telecommunications network." It is unclear if "state-operated or state-owned telecommunications networks" that are subject to the Cybersecurity Act will include the Statewide Education Network.

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

As discussed above, it is unclear if "state-operated or state-owned telecommunications network" will include the Statewide Education Network, and if any administrative cybersecurity tasks at OBAE, such as grant management or contract oversight, would be transferred to OCS, or otherwise need OCS approval.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

The SEN is broadband infrastructure that connects schools and libraries. It is separate and distinct from the broadband network operated by DoIT to connect state agencies. As discussed above, it is unclear if “state-operated or state-owned telecommunications network” will include the Statewide Education Network.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The status quo will remain, and only State Agencies will be subject to the Cybersecurity Act.

AMENDMENTS

OBAE recommends that a definition be added to clarify precisely what constitutes a “state-operated or state-owned telecommunications network” to NMSA §9-27A-2.

After consultation with the Office of Cybersecurity, OBAE recommends the following language:

State-operated or state-owned telecommunications network means any telecommunications network pursuant to the Department of Information Technology Act