

LFC Requester:

Hilla, Emily

**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

[AgencyAnalysis.nmlegis.gov](https://www.legis.nm.gov/AgencyAnalysis) 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: 2/10/2025

Check all that apply:

Bill Number: HB 298Original  Correction Amendment  Substitute Sponsor: Christine Chandler  
Mark Duncan

Agency Name

and Code

Secretary of State - 370

Number:

Short Title: LOCAL GOVERNMENT  
OFFICIAL CHANGES

Person Writing

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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
<b>Total</b>						

(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 298 amends Chapter 3, Articles 11 and 12 of New Mexico's Municipal Code by clarifying that a home rule municipality's law would take precedence over those sections of law should there be a conflict. The bill further provides for filling vacancies, tie votes among municipal governing bodies, mayoral powers, organizational meetings, conflicts of interest, cross-commissioning of peace officers and election timing for municipal officers appointed to fill vacancies.

HB 298 prohibits the mayor and governing body from hiring, firing, disciplining or supervising any employee of the judicial branch, and the bill provides for elections for the increase or decrease in the number of governing body members.

#### **FISCAL IMPLICATIONS**

Pursuant to 1-16-9 NMSA, "a local government ballot question that, based on the order received by the county clerk, would require the ballot to be on more than one page shall be included on the ballot only if the local government submitting the ballot question pays the additional costs of any subsequent ballot page; provided that if more than one local government submits ballot questions that would require the ballot to be on more than one page, those local governments shall share the additional costs of any subsequent ballot page."

#### **SIGNIFICANT ISSUES**

#### **PERFORMANCE IMPLICATIONS**

#### **ADMINISTRATIVE IMPLICATIONS**

#### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

SB 218, if passed, would require all municipal officers to be elected at regular local elections. The municipal officer election would no longer be an option for the elections as outlined in HB 298.

#### **TECHNICAL ISSUES**

#### **OTHER SUBSTANTIVE ISSUES**

#### **ALTERNATIVES**

#### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

#### **AMENDMENTS**

