

1 SENATE BILL 34

2 **57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

3 INTRODUCED BY

4 Elizabeth "Liz" Stefanics and Matthew McQueen  
5 and Christine Chandler and Peter Wirth  
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10 AN ACT

11 RELATING TO THE NIGHT SKY; REVISING THE REQUIREMENTS FOR  
12 SHIELDING OUTDOOR LIGHT FIXTURES; ADDING EXEMPTIONS FOR ROADWAY  
13 NAVIGATION AND SAFETY SIGNS ON INTERSTATES AND FEDERAL PRIMARY  
14 HIGHWAYS AND TEMPORARY OUTDOOR LIGHT FIXTURES NECESSARY FOR  
15 CONSTRUCTION, EMERGENCY SERVICES OR FILM OR TELEVISION  
16 PRODUCTION; REMOVING THE EXEMPTION FOR OUTDOOR LIGHT FIXTURES  
17 WITH AUTOMATIC SHUT-OFF DEVICES AND CERTAIN TYPES OF  
18 ADVERTISEMENT SIGNS; REPEALING SECTION 74-12-2 NMSA 1978 (BEING  
19 LAWS 1999, CHAPTER 197, SECTION 2).  
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21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

22 SECTION 1. Section 74-12-3 NMSA 1978 (being Laws 1999,  
23 Chapter 197, Section 3) is amended to read:

24 "74-12-3. DEFINITIONS.--As used in the Night Sky  
25 Protection Act:

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underscored material = new  
[bracketed material] = delete

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1           A. "fully shielded" means a fixture that is  
2 shielded in such a manner that no more than five percent of the  
3 total light emitted, either directly or indirectly, is at or  
4 above ten degrees below a horizontal plane running through the  
5 lowest point on the fixture where light is emitted;

6           B. "lumen" means an international standard of  
7 measurement that quantifies the amount of light emitted by a  
8 light source; and

9           [A-] C. "outdoor lighting fixture" means an outdoor  
10 artificial illuminating device, whether permanent or portable,  
11 used for illumination or advertisement, including searchlights,  
12 spotlights and floodlights, whether for architectural lighting,  
13 parking lot lighting, landscape lighting, billboards or street  
14 lighting [and

15 ~~B. "shielded" means a fixture that is shielded in~~  
16 ~~such a manner that light rays emitted by the fixture, either~~  
17 ~~directly from the lamp or indirectly from the fixture, are~~  
18 ~~projected below a horizontal plane running through the lowest~~  
19 ~~point on the fixture where light is emitted]."~~

20           SECTION 2. Section 74-12-4 NMSA 1978 (being Laws 1999,  
21 Chapter 197, Section 4) is amended to read:

22           "74-12-4. SHIELDING OF OUTDOOR LIGHT FIXTURES.--[All  
23 ~~outdoor lighting fixtures installed after January 1, 2000 shall~~

24 ~~be shielded, except incandescent fixtures of one hundred fifty~~

25 ~~watts or less and other sources of seventy watts or less.]~~

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1           A. Except for strings of small lights or temporary  
2 holiday lighting, an outdoor lighting fixture installed after  
3 July 1, 2025 that is mounted more than four feet above the  
4 ground shall be fully shielded and installed and maintained in  
5 accordance with the manufacturer's specifications and  
6 instructions for use.

7           B. An outdoor lighting fixture that is mounted less  
8 than four feet above the ground and emits more than one  
9 thousand lumens shall not be directed toward the sky."

10           SECTION 3. Section 74-12-5 NMSA 1978 (being Laws 1999,  
11 Chapter 197, Section 5) is amended to read:

12           "74-12-5. [~~NONCONFORMING~~] OUTDOOR RECREATIONAL FACILITY  
13 LIGHT FIXTURES.--~~[A. In addition to other exemptions provided~~  
14 ~~in the Night Sky Protection Act, an outdoor lighting fixture~~  
15 ~~not meeting these provisions shall be allowed, if the fixture~~  
16 ~~is extinguished by an automatic shutoff device between the~~  
17 ~~hours of 11:00 p.m. and sunrise.~~

18           ~~B. No~~] An outdoor recreational facility, whether  
19 public or private, shall not be illuminated after 11:00 p.m.  
20 except for a national or international tournament or to  
21 conclude any recreational or sporting event or other activity  
22 conducted, which is in progress prior to 11:00 p.m. at a  
23 ballpark, outdoor amphitheater, arena or similar facility."

24           SECTION 4. Section 74-12-7 NMSA 1978 (being Laws 1999,  
25 Chapter 197, Section 7) is amended to read:

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1 "74-12-7. EXEMPTIONS.--

2 A. The following are exempt from the requirements  
3 of the Night Sky Protection Act:

4 (1) outdoor lighting fixtures on  
5 ~~[advertisement]~~ roadway navigation and safety signs on  
6 interstates and federal primary highways;

7 (2) outdoor lighting fixtures existing and  
8 legally installed prior to ~~[the effective date of the Night Sky~~  
9 ~~Protection Act]~~ July 1, 2025; however, when existing lighting  
10 fixtures ~~[become unrepairable]~~ are replaced, their replacements  
11 are subject to all the provisions of the Night Sky Protection  
12 Act;

13 (3) navigational lighting systems at airports  
14 and other lighting necessary for aircraft safety; ~~[and]~~

15 (4) outdoor lighting fixtures ~~[that are~~  
16 ~~necessary for worker safety]~~ at farms, ranches, dairies,  
17 feedlots or industrial, mining or oil and gas facilities  
18 installed prior to January 1, 2027;

19 (5) outdoor digital or electronic billboards;  
20 and

21 (6) temporary outdoor lighting fixtures that  
22 are necessary for construction, emergency services or film or  
23 television production.

24 B. The provisions of the Night Sky Protection Act  
25 are cumulative and supplemental and shall not apply within any

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1 county or municipality that, by ordinance or resolution, has  
2 adopted provisions restricting light pollution that are equal  
3 to or more stringent than the provisions of the Night Sky  
4 Protection Act."

5 SECTION 5. REPEAL.--Section 74-12-2 NMSA 1978 (being Laws  
6 1999, Chapter 197, Section 2) is repealed.

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