

1 SENATE BILL 169

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

3 INTRODUCED BY

4 Michael Padilla and Meredith A. Dixon and Joshua N. Hernandez
5 and Craig W. Brandt and Joy Garratt
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10 AN ACT

11 RELATING TO ECONOMIC DEVELOPMENT; ENACTING THE STRATEGIC
12 ECONOMIC DEVELOPMENT SITE READINESS ACT; MAKING AN
13 APPROPRIATION.
14

15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be
17 cited as the "Strategic Economic Development Site Readiness
18 Act".

19 SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the
20 Strategic Economic Development Site Readiness Act:

21 A. "department" means the economic development
22 department;

23 B. "private partner" means an individual, a foreign
24 or domestic corporation, a general partnership, a limited
25 liability company, a limited partnership, a joint venture, a

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1 business trust, a public benefit corporation, a nonprofit
2 entity or other private business entity or a combination
3 thereof;

4 C. "public partner" means the state and the state's
5 branches, agencies, departments, boards, instrumentalities or
6 institutions and all political subdivisions of the state and
7 their agencies, instrumentalities and institutions, including a
8 department, an institution of higher education, a board or a
9 commission; and

10 D. "secretary" means the secretary of economic
11 development.

12 SECTION 3. [NEW MATERIAL] SITE CHARACTERIZATION
13 STUDIES.--

14 A. The department may enter into contracts with
15 public partners and private partners for site characterization
16 studies of proposed economic development sites to determine the
17 suitability of such sites for certification as a strategic
18 economic development site.

19 B. The secretary shall accept for consideration
20 proposals for site characterization studies of proposed
21 economic development sites and shall decide if a proposed
22 economic development site will be the subject of a site
23 characterization study pursuant to Subsection A of this
24 section.

25 C. A site characterization study shall assess the
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1 suitability of a proposed economic development site for
2 development by a public partner or private partner and may
3 consider the following characteristics:

4 (1) the availability of public infrastructure,
5 including transportation access, water and wastewater;

6 (2) the availability of public utilities,
7 including electricity, natural gas and broadband access;

8 (3) environmental limitations;

9 (4) size, configuration, topography, soils and
10 drainage;

11 (5) workforce availability;

12 (6) governmental land use restrictions;

13 (7) site ownership;

14 (8) neighboring land uses; and

15 (9) any other site characteristics that may
16 affect the degree to which the site is ready for immediate
17 economic development.

18 SECTION 4. [NEW MATERIAL] STRATEGIC ECONOMIC DEVELOPMENT
19 SITE ADVISORY COMMITTEE--CREATED--MEMBERSHIP.--

20 A. The "strategic economic development site
21 advisory committee" is created. The department shall provide
22 necessary administrative services to the committee.

23 B. The strategic economic development site advisory
24 committee is composed of:

25 (1) the secretary of energy, minerals and

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1 natural resources or the secretary's designee;

2 (2) the secretary of environment or the
3 secretary's designee;

4 (3) a representative of the public regulation
5 commission appointed by the commission;

6 (4) the secretary of transportation or the
7 secretary's designee;

8 (5) the chief executive officer of the New
9 Mexico finance authority or the chief executive officer's
10 designee;

11 (6) the director of the economic development
12 division of the department; and

13 (7) five public members appointed by the New
14 Mexico legislative council who shall have experience in law,
15 architecture, planning, utilities, transportation or economic
16 development.

17 C. The public members appointed initially shall
18 draw lots for staggered terms in such a way that two members
19 shall serve for six years, two members shall serve for four
20 years and one member shall serve for two years. Thereafter,
21 the public members shall serve for six-year terms. A vacancy
22 in a term of a public member of the strategic economic
23 development site advisory committee shall be filled by the New
24 Mexico legislative council for the remainder of the original
25 term.

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1 D. The members shall select a chair, who shall be a
2 public member and who shall serve a term of two years.

3 E. Members who are not public employees are
4 entitled to per diem and mileage as provided in the Per Diem
5 and Mileage Act but shall receive no other compensation,
6 perquisite or allowance.

7 F. A member of the strategic economic development
8 site advisory committee shall not participate in or influence a
9 decision by the committee in which that member has a conflict
10 of interest, pecuniary interest or other disqualifying interest
11 regarding a proposed strategic economic development site. All
12 members of the committee shall certify annually and in writing
13 compliance with this subsection.

14 SECTION 5. [NEW MATERIAL] STRATEGIC ECONOMIC DEVELOPMENT
15 SITE ADVISORY COMMITTEE--DUTIES.--The strategic economic
16 development site advisory committee has the following duties:

17 A. meet quarterly and at such other times as deemed
18 necessary by the chair;

19 B. review and recommend the designation of proposed
20 strategic economic development sites;

21 C. recommend approval or disapproval of
22 applications for grants or loans from the site readiness fund,
23 the public project revolving fund and other potential funding
24 sources;

25 D. recommend the promulgation of rules establishing

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1 the application process and criteria for the approval of
2 strategic economic development sites in accordance with the
3 provisions of the State Rules Act; and

4 E. consult with state agencies on technical issues
5 relevant to the committee's consideration of proposed strategic
6 economic development sites.

7 SECTION 6. [NEW MATERIAL] STRATEGIC ECONOMIC DEVELOPMENT
8 SITES--DESIGNATION--IMPLEMENTATION.--

9 A. The secretary shall review site characterization
10 studies conducted pursuant to Section 3 of the Strategic
11 Economic Development Site Readiness Act and shall determine,
12 after consideration of the recommendations of the strategic
13 economic development site advisory committee:

14 (1) whether there needs to be further study of
15 the characteristics of proposed economic development sites; or

16 (2) whether the proposed economic development
17 site should be designated as a strategic economic development
18 site.

19 B. Upon designation as a strategic economic
20 development site, the secretary may solicit proposals from
21 public partners and private partners for site pre-development
22 projects that will enhance the readiness of the strategic
23 economic development site for immediate development. Site pre-
24 development projects may include:

25 (1) surveying, engineering, planning and

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1 architectural work required in advance of construction on site
2 development and building construction;

3 (2) environmental assessments and remediation;

4 (3) public infrastructure improvements

5 necessary prior to the start of site development and building
6 construction, including roads and utilities;

7 (4) site preparation, including landscaping
8 and drainage improvements; and

9 (5) governmental permitting.

10 C. The secretary shall review proposals from public
11 partners and private partners for site pre-development projects
12 and shall determine, after consideration of the recommendations
13 of the strategic economic development site advisory committee,
14 which proposed site pre-development projects could be funded in
15 whole or in part by grants and loans from the site readiness
16 fund or should be recommended for funding from the public
17 project revolving fund or other funding resources.

18 SECTION 7. [NEW MATERIAL] SITE READINESS FUND--CREATED.--

19 A. The "site readiness fund" is created in the
20 state treasury. The fund consists of appropriations, gifts,
21 grants, donations, income from investment of the fund, payments
22 of principal and interest on loans made from the fund and any
23 other money distributed or otherwise allocated to the fund.
24 Income from the fund shall be credited to the fund. Money in
25 the fund shall not revert or be transferred to any other fund

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1 at the end of a fiscal year.

2 B. The department shall administer the site
3 readiness fund. Money in the fund is appropriated to the
4 department for the purposes of carrying out the provisions of
5 the Strategic Economic Development Site Readiness Act,
6 including site characteristic studies of proposed economic
7 development sites and site preparations of strategic economic
8 development sites. Disbursements from the fund shall be made
9 by warrant of the secretary of finance and administration
10 pursuant to vouchers signed by the secretary of economic
11 development or the secretary's authorized representative.

12 C. Money in the site readiness fund may be
13 used to provide grants and loans for financing site pre-
14 development projects.

15 D. Money in the site readiness fund may be used for
16 administrative and reimbursable costs incurred by the
17 department, subject to the legislative appropriation process.

18 SECTION 8. [NEW MATERIAL] REPORT.--By October 1, 2026,
19 and by October 1 of each year thereafter, the secretary shall
20 provide a report to the governor, the legislative finance
21 committee and the appropriate interim legislative committees
22 regarding:

23 A. the number and location of proposed economic
24 development sites that have been approved for site
25 characterization studies;

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