

1 SENATE BILL 264

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

3 INTRODUCED BY

4 George K. Muñoz

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10 AN ACT

11 RELATING TO ADMINISTRATIVE FEES; AMENDING CERTAIN GAME AND FISH
12 LICENSING FEES AND ALLOWING THE STATE GAME COMMISSION TO
13 INCREASE THE FEES BASED ON INFLATION; PROVIDING A DISCOUNT ON
14 THE FEES FOR RESIDENTS WHO RECEIVE SUPPLEMENTAL NUTRITION
15 ASSISTANCE PROGRAM BENEFITS; INCREASING FEES TO FUND THE
16 WORKERS' COMPENSATION ADMINISTRATION; CHANGING THE BASIS OF
17 CERTAIN FEES COLLECTED BY THE DEPARTMENT OF ENVIRONMENT FROM A
18 DOLLAR AMOUNT TO REASONABLE ADMINISTRATIVE COSTS; CHANGING THE
19 BASIS OF A FEE COLLECTED BY THE ENVIRONMENTAL IMPROVEMENT BOARD
20 TO THE ADMINISTRATIVE COST OF THE PROGRAM; EXTENDING THE SUNSET
21 DATE OF THE SPAY AND NEUTER PROGRAM FEE; REPEALING CERTAIN
22 LAWS; MAKING APPROPRIATIONS.

23
24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

25 SECTION 1. Section 17-3-13 NMSA 1978 (being Laws 1964

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1 (1st S.S.), Chapter 17, Section 5, as amended) is amended to
2 read:

3 "17-3-13. LICENSE FEES.--

4 A. The director of the department of game and fish
5 shall keep a record of all money received and licenses and
6 permits issued by the department, numbering each class
7 separately. Upon satisfactory proof that a license or permit
8 has been lost before its expiration, the director may issue a
9 duplicate and collect a just and reasonable fee for it as
10 determined by regulation of the state game commission.

11 B. The director of the department of game and fish
12 shall collect the following fees for each license of the class
13 indicated:

14	Resident, fishing	[\$25.00]	<u>\$35.00</u>
15	Resident, game hunting	[15.00]	<u>25.00</u>
16	Resident, deer	[31.00]	<u>50.00</u>
17	Resident, junior-senior, deer	[19.00]	<u>25.00</u>
18	Resident, senior, handicapped,		
19	game hunting and fishing		20.00
20	Resident, fishing and game hunting		
21	combination	[30.00]	<u>42.00</u>
22	Resident, junior, fishing and game		
23	hunting combination		15.00
24	Resident, disabled veteran, fishing and game hunting		
25	combination		10.00

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1	Resident, antelope	[50.00]	<u>60.00</u>
2	Resident, elk cow	[50.00]	<u>60.00</u>
3	Resident, elk bull or either sex	[80.00]	<u>90.00</u>
4	Resident, junior-senior, elk	[48.00]	<u>60.00</u>
5	Resident, bighorn sheep, ram		150.00
6	Resident, bighorn sheep, ewe		75.00
7	Resident, Barbary sheep	[100.00]	<u>120.00</u>
8	Resident, bear	[44.00]	<u>55.00</u>
9	Resident, turkey	[25.00]	<u>35.00</u>
10	Resident, cougar	[40.00]	<u>55.00</u>
11	Resident, oryx	[150.00]	<u>175.00</u>
12	Resident, ibex	[100.00]	<u>110.00</u>
13	Resident, javelina		55.00
14	Resident, fur dealer		15.00
15	Resident, trapper	[20.00]	<u>40.00</u>
16	Resident, junior trapper		9.00
17	Nonresident, fishing	[56.00]	<u>90.00</u>
18	Nonresident, junior fishing	[15.00]	<u>20.00</u>
19	Nonresident, junior, game hunting	[15.00]	<u>20.00</u>
20	Nonresident, game hunting	[65.00]	<u>85.00</u>
21	Nonresident, deer	[260.00]	<u>375.00</u>
22	Nonresident, quality deer	[345.00]	<u>600.00</u>
23	Nonresident, bear	[250.00]	<u>350.00</u>
24	Nonresident, cougar	[280.00]	<u>350.00</u>
25	Nonresident, turkey	[100.00]	<u>125.00</u>

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1	Nonresident, antelope	[260.00]	<u>400.00</u>
2	Nonresident, elk cow	[315.00]	<u>550.00</u>
3	Nonresident, elk bull or either sex . . .	[525.00]	<u>750.00</u>
4	Nonresident, quality elk	[750.00]	<u>975.00</u>
5	Nonresident, bighorn sheep		3,150.00
6	Nonresident, Barbary sheep		350.00
7	Nonresident, oryx		1,600.00
8	Nonresident, ibex		1,600.00
9	Nonresident, javelina		155.00
10	Nonresident, fur dealer		125.00
11	Nonresident, trapper	[345.00]	<u>500.00</u>
12	Nonresident, nongame		65.00
13	Resident, senior, handicapped, 14 fishing		8.00
15	Resident, junior fishing		5.00
16	Temporary fishing, one day		12.00
17	Temporary fishing, five days	[24.00]	<u>30.00</u>
18	Resident, senior, handicapped, 19 game hunting		15.00
20	Resident, junior, game hunting		10.00
21	Temporary game hunting, four days	[33.00]	<u>40.00</u>
22	Second rod validation	[4.00]	<u>10.00</u> .

23 C. On April 1, 2027 and each April 1 until April 1,
24 2036, the state game commission may adjust the fees provided by
25 Subsection B of this section by multiplying the fee as of April

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1 1, 2026 by a fraction, the numerator of which is the consumer
2 price index ending in September of the previous year and the
3 denominator of which is the consumer price index ending in
4 September 2026; provided that the fees shall not be adjusted
5 below the amounts provided in Subsection B of this section.
6 The result of the multiplication shall be rounded to the
7 nearest one dollar (\$1.00), except that if the result would be
8 less than the amounts set out in Subsection B of this section,
9 then no adjustment shall be made.

10 D. Residents who participate in the supplemental
11 nutrition assistance program are eligible to receive a twenty-
12 five percent discount on all license fees after qualifying with
13 the department of game and fish."

14 SECTION 2. Section 25-1-5 NMSA 1978 (being Laws 1977,
15 Chapter 309, Section 5, as amended) is amended to read:

16 "25-1-5. OPTIONAL POWERS.--

17 A. The board may establish a system of grading food
18 service establishments for the purpose of certifying compliance
19 with the Food Service Sanitation Act and regulations requiring
20 food service establishments to display in a designated manner a
21 grade as notice of compliance to the public. Such regulations
22 shall include provisions for the revocation and reinstatement
23 of the permit that are consistent with due process of law.

24 B. The board shall establish a schedule of fees for
25 the issuance and renewal of permits issued by the division

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1 under the Food Service Sanitation Act. The board shall set the
2 schedule of fees [~~so that no fee established by such schedule~~
3 ~~shall be less than one hundred dollars (\$100) or more than two~~
4 ~~hundred dollars (\$200) annually for a food service~~
5 ~~establishment with not more than a twenty-five dollar (\$25.00)~~
6 ~~incremental increase per fiscal year. The board shall~~
7 ~~establish a separate schedule of fees not to exceed twenty-five~~
8 ~~dollars (\$25.00) per single event or celebration per temporary~~
9 ~~food service establishment. Fees shall be waived for all~~
10 ~~temporary non-potentially hazardous food service operations,~~
11 ~~for any temporary food service establishment operating no more~~
12 ~~than two calendar days in any calendar month and for any food~~
13 ~~service establishment that provides food to the general public~~
14 ~~at no charge] necessary to carry out the provisions of the Food
15 Service Sanitation Act and for other operational expenses of
16 the department of environment. Fees collected for the issuance
17 and renewal of permits pursuant to the Food Service Sanitation
18 Act shall be deposited in the environmental health fund."~~

19 SECTION 3. Section 52-5-19 NMSA 1978 (being Laws 1987,
20 Chapter 235, Section 52, as amended) is amended to read:

21 "52-5-19. FEE FOR FUNDING ADMINISTRATION--WORKERS'
22 COMPENSATION ADMINISTRATION FUND CREATED.--

23 A. Beginning with the calendar quarter ending
24 September 30, 2004 and for each calendar quarter thereafter,
25 there is assessed against each employer who is required or

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1 elects to be covered by the Workers' Compensation Act a fee
2 equal to [~~two dollars thirty cents (\$2.30)~~] the following
3 amounts, multiplied by the number of employees covered by the
4 Workers' Compensation Act that the employer has on the last
5 working day of each quarter:

6 (1) prior to July 1, 2025, two dollars thirty
7 cents (\$2.30);

8 (2) beginning July 1, 2025 and prior to July
9 1, 2028, two dollars fifty-five cents (\$2.55);

10 (3) beginning July 1, 2028 and prior to July
11 1, 2033, two dollars sixty-eight cents (\$2.68); and

12 (4) beginning July 1, 2033, two dollars eighty
13 cents (\$2.80).

14 B. At the same time the fee pursuant to Subsection
15 A of this section is assessed, there is assessed against each
16 employee covered by the Workers' Compensation Act on the last
17 working day of each quarter a fee [~~of two dollars (\$2.00)~~] in
18 the following amounts, which shall be deducted from the wages
19 of the employee by the employer and remitted along with the fee
20 assessed on the employer:

21 (1) prior to July 1, 2025, two dollars
22 (\$2.00);

23 (2) beginning July 1, 2025 and prior to July
24 1, 2028, two dollars twenty-five cents (\$2.25);

25 (3) beginning July 1, 2028 and prior to July

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1 1, 2033, two dollars thirty-eight cents (\$2.38); and
2 (4) beginning July 1, 2033, two dollars fifty
3 cents (\$2.50).

4 C. The fees shall be remitted by the last day of
5 the month following the end of the quarter for which they are
6 due.

7 [~~B.~~] D. The taxation and revenue department may
8 deduct from the gross fees collected an amount not to exceed
9 five percent of the gross fees collected to reimburse the
10 department for costs of administration.

11 [~~C.~~] E. The taxation and revenue department shall
12 pay over the net fees collected to the state treasurer to be
13 deposited by [~~him~~] the treasurer in a fund hereby created and
14 to be known as the "workers' compensation administration fund".
15 Expenditures shall be made from this fund on vouchers signed by
16 the director for the necessary expenses of the workers'
17 compensation administration; provided that an amount equal to
18 thirty cents (\$.30) per employee of the fee assessed against an
19 employer shall be distributed from the workers' compensation
20 administration fund to the uninsured employers' fund.

21 [~~D.~~] F. The workers' compensation fee authorized in
22 this section shall be administered and enforced by the taxation
23 and revenue department under the provisions of the Tax
24 Administration Act."

25 **SECTION 4.** Section 61-14E-9 NMSA 1978 (being Laws 1983,

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1 Chapter 317, Section 9, as amended) is amended to read:

2 "61-14E-9. FEES FOR LICENSURE.--After the promulgation of
3 rules, [~~and regulations~~] except as provided in Section 61-1-34
4 NMSA 1978, the department shall charge and collect [~~the~~
5 ~~following~~] fees to cover the reasonable costs to operate and
6 administer the program.

7 ~~A. an application fee not to exceed ten dollars~~
8 ~~(\$10.00);~~

9 ~~B. an examination fee not to exceed one hundred~~
10 ~~fifty dollars (\$150) to cover the costs the department incurs~~
11 ~~in administering the initial examination required for limited~~
12 ~~certification;~~

13 ~~C. a biennial licensure fee not to exceed one~~
14 ~~hundred dollars (\$100);~~

15 ~~D. a temporary licensure fee not to exceed fifty~~
16 ~~dollars (\$50.00) to cover a period no longer than twelve months~~
17 ~~when new graduates of an approved program are in the process of~~
18 ~~taking required licensure examinations; and~~

19 ~~E. miscellaneous fees, such as for requests for~~
20 ~~duplicate or replacement licenses, legal name change and~~
21 ~~written verification, not to exceed twenty-five dollars~~
22 ~~(\$25.00).]"~~

23 SECTION 5. Section 61-33-5 NMSA 1978 (being Laws 1973,
24 Chapter 394, Section 5, as amended) is amended to read:

25 "61-33-5. APPLICATION REQUIREMENTS--FEES--FUND CREATED--

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1 ENDORSEMENT.--

2 A. An applicant for certification as a certified
3 operator shall:

4 (1) make application on forms furnished by the
5 department;

6 (2) submit evidence satisfactory to the
7 department that the applicant has reached the age of majority;
8 and

9 (3) except as provided in Section 61-1-34 NMSA
10 1978, pay in advance to the department fees set by rule [~~not to~~
11 ~~exceed:~~

12 ~~(a) for examination for certification in~~
13 ~~each classification \$100;~~

14 ~~(b) for renewal of a certificate after a~~
15 ~~period set by rule \$40.00; and~~

16 ~~(c) for issuance of a certificate by~~
17 ~~endorsement \$100]~~

18 to cover the reasonable costs of issuing the certificates.

19 B. Fees collected pursuant to Subsection A of this
20 section shall be deposited with the state treasurer in the
21 "public water supply system operator and public wastewater
22 facility operator fund", hereby created. The fund shall be
23 used solely for the purpose of administering and enforcing the
24 Utility Operators Certification Act. The fund shall be
25 administered by the department. Money in the fund shall be

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1 retained by the department for use, subject to appropriation by
2 the legislature. Balances in the fund at the end of any fiscal
3 year shall not revert to the general fund, but shall accrue to
4 the credit of the fund. Earnings on the fund shall be credited
5 to the fund.

6 C. The department may, in its discretion, endorse
7 for certification without examination an operator who submits
8 evidence satisfactory to the department that the applicant has
9 reached the age of majority and holds a valid license or
10 certification in any state, territory or foreign jurisdiction
11 having standards equal to or exceeding those of New Mexico.

12 D. Fees shall not be increased more than once per
13 calendar year. [~~The first increase of the fees shall not~~
14 ~~result in any fee greater than thirty dollars (\$30.00). Any~~
15 ~~subsequent increase of the fees shall not be more than five~~
16 ~~percent of the existing fee.~~]"

17 SECTION 6. Section 74-1-16 NMSA 1978 (being Laws 2003,
18 Chapter 335, Section 1, as amended) is amended to read:

19 "74-1-16. WATER RECREATION FACILITIES--FEE IMPOSITION.--
20 The board may assess an annual fee [~~not to exceed one hundred~~
21 ~~fifty dollars (\$150)] on the owner or operator of a public
22 swimming pool, public spa or other public water recreation
23 facility to [~~defray~~] cover the cost of administering and
24 enforcing rules adopted in accordance with the Environmental
25 Improvement Act pertaining to public water recreation~~

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1 facilities. [~~The fee shall be based on the size of the public~~
2 ~~water recreation facility.~~] Fees collected pursuant to this
3 section shall be deposited in the environmental health fund."

4 SECTION 7. Section 74-6B-9 NMSA 1978 (being Laws 1990,
5 Chapter 124, Section 9, as amended) is amended to read:

6 "74-6B-9. STORAGE TANK FEE--DEPOSIT IN STORAGE TANK
7 FUND.--

8 A. On July 1 of each year, there is due from and
9 shall be paid by either the owner or the operator a fee [~~of one~~
10 ~~hundred dollars (\$100)~~] for each storage tank owned or
11 operated.

12 B. By rule, the board shall provide a schedule of
13 fees sufficient to defray the reasonable and necessary costs
14 of:

15 (1) reviewing and acting upon applications for
16 the registration of storage tanks;

17 (2) reviewing and acting upon applications for
18 the certification of tank installers and certification of tank
19 testers; and

20 (3) implementing and enforcing provisions of
21 the Hazardous Waste Act applicable to storage tanks, tank
22 installers and tank testers, including standards for the
23 installation, operation and maintenance of storage tanks and
24 the certification of tank installers and tank testers.

25 C. The fees shall be paid to the department and

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1 deposited in the storage tank fund created in Section 74-4-4.8
2 NMSA 1978."

3 SECTION 8. Section 74-9-8 NMSA 1978 (being Laws 1990,
4 Chapter 99, Section 8, as amended by Laws 1991, Chapter 185,
5 Section 2 and also by Laws 1991, Chapter 194, Section 3) is
6 amended to read:

7 "74-9-8. BOARD ADOPTION OF INITIAL ~~[REGULATIONS]~~ RULES.--
8 ~~[No later than December 31, 1991]~~ The board shall adopt
9 ~~[regulations]~~ rules under the authority of this section to:

10 A. implement, administer and enforce a program for
11 the cost-effective and environmentally safe siting,
12 construction, operation, maintenance, closure and post-closure
13 care of solid waste facilities, including financial
14 responsibility requirements for solid waste facility owners and
15 operators and also including requirements that assure that the
16 relative interests of the applicant, other owners of property
17 likely to be affected and the general public will be considered
18 prior to the issuance of a permit for a solid waste facility;

19 B. define the solid wastes that are considered
20 special wastes;

21 C. establish specific requirements for the
22 detoxification and disposal of special wastes;

23 D. establish classifications of solid waste
24 facilities and define what types of solid waste may be
25 processed or disposed of in each classification;

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1 E. establish performance standards for the
2 construction and operation of solid waste facilities that will
3 assure protection of ground water quality from degradation by
4 contaminants from solid waste facilities consistent with the
5 provisions of the Water Quality Act and the ~~[regulations]~~ rules
6 and standards established under that act by the water quality
7 control commission, provided such ~~[regulations]~~ rules shall not
8 allow permitting of any active solid waste facility larger than
9 five hundred acres;

10 F. establish performance standards for
11 transformation facilities that will assure protection of the
12 state's environment;

13 G. establish requirements and procedures for the
14 granting or denial of an application to modify a solid waste
15 facility permit under Section 74-9-25 NMSA 1978;

16 H. establish requirements and procedures for
17 commercial haulers to minimize littering and otherwise prevent
18 degradation of the environment;

19 I. establish an applicant fee schedule for
20 processing permit applications that is based on costs of
21 application review incurred by the division, ~~[and also]~~ costs
22 incurred for investigations of applicants by state departments
23 and agencies other than the division, which ~~[regulation]~~ rule
24 shall provide for the reimbursement of these costs to the
25 division or other department or agency from the fees charged

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1 ~~[and shall also limit the fee to be not greater than ten~~
2 ~~thousand dollars (\$10,000)];~~

3 J. establish requirements and procedures for a
4 person to obtain a variance from the application of a
5 substantive ~~[regulation]~~ rule to the person if the person files
6 a written application for a variance with the director and
7 demonstrates to the director's satisfaction that:

8 (1) application of the ~~[regulation]~~ rule would
9 result in an arbitrary and unreasonable taking of the
10 applicant's property or would impose an undue economic burden
11 upon any lawful business, occupation or activity; and

12 (2) granting the variance will not result in
13 any condition injurious to human health, safety or welfare or
14 the environment;

15 K. assure that no variance will be granted under
16 the provisions of Subsection J of this section until the
17 director has considered the relative interests of the
18 applicant, other owners of property likely to be affected and
19 the general public and that any variance or renewal of a
20 variance shall be granted for time periods and under conditions
21 consistent with reasons for the ~~[various]~~ variance but within
22 the following limitations:

23 (1) if the variance is granted on the grounds
24 that there are no practicable means known or available for the
25 adequate prevention of degradation of the environment or the

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1 risk to the public health, safety or welfare, it shall continue
2 only until the necessary means for the prevention of the
3 degradation or risk become known and available; or

4 (2) if the variance is granted on the grounds
5 that it is justified to relieve or prevent hardship of a kind
6 other than that provided for in Paragraph (1) of this
7 subsection, it shall not be granted for more than one year;

8 L. establish a list of solid wastes that shall not
9 be transferred, disposed of or transformed in a solid waste
10 facility and prohibit the disposal or transformation of those
11 solid wastes in solid waste facilities;

12 M. establish recordkeeping procedures for solid
13 waste transfer, landfill disposal and transformation facilities
14 that shall include requirements for recording the type, amount
15 and origin of solid waste transferred, disposed of or
16 transformed at the facility and that require operators of
17 landfill disposal, solid waste transfer and transformation
18 facilities within the state to:

19 (1) maintain records in a form required by the
20 division and file them with the division indicating the type,
21 amount, origin and location in a landfill disposal facility of
22 solid waste accepted by the facility;

23 (2) maintain copies of the records required
24 under Paragraph (1) of this subsection after closure in a
25 manner and for the length of time prescribed by the division;

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1 and

2 (3) make all required records available for
3 inspection by the division and the general public during normal
4 business hours; and

5 N. require the division to establish a solid waste
6 facility operator certification program."

7 SECTION 9. Section 74-13-8 NMSA 1978 (being Laws 2005,
8 Chapter 171, Section 8) is amended to read:

9 "74-13-8. RULES--AUTHORITY AND CONTENT.--The board shall
10 adopt rules to implement the provisions of the Recycling and
11 Illegal Dumping Act. The rules shall be adopted pursuant to
12 the provisions of the Environmental Improvement Act and shall
13 include:

14 A. requirements and procedures for the issuance of
15 permits and registrations to tire recycling facilities, civil
16 engineering applications, scrap tire generators and scrap tire
17 haulers;

18 B. standards and requirements for tire recycling
19 and scrap tire storage and processing;

20 C. record-keeping requirements for tire recycling
21 facilities, scrap tire haulers and scrap tire generators;

22 D. financial assurance criteria for tire recycling
23 facilities;

24 E. fire rules for storage of scrap tires and
25 tire-derived products that are consistent with the rules or

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1 recommendations adopted by the state fire marshal;

2 F. criteria and procedures for making disbursements
3 pursuant to grant and loan programs authorized from the
4 recycling and illegal dumping fund;

5 G. requirements and procedures for contracting with
6 counties, municipalities, Indian nations, pueblos and tribes,
7 land grant communities and cooperative associations for the
8 abatement of illegal dumpsites and recycling;

9 H. requirements and procedures for a scrap tire
10 manifest system; and

11 I. a fee schedule applicable to:

12 (1) scrap tire haulers and tire recycling
13 facilities not exceeding the estimated cost of investigating
14 and issuing permits and registrations and conducting regulatory
15 oversight of permitted and registered activities; [~~and~~

16 ~~J. a fee schedule applicable to]~~ (2) scrap
17 tire generators not exceeding the estimated cost of conducting
18 regulatory oversight of scrap tire generators; and

19 (3) scrap tire haulers, tire recycling
20 facilities and scrap tire generators."

21 SECTION 10. Section 76-19A-10.1 NMSA 1978 (being Laws
22 2020, Chapter 69, Section 5) is amended to read:

23 "76-19A-10.1. SPAY AND NEUTER PROGRAM FEE.--

24 A. Prior to July 1, 2031 and except as provided in
25 Subsection B of this section, in addition to the commercial

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1 feed registration fee required pursuant to Section 76-19A-10
2 NMSA 1978, the department shall collect an annual fee on each
3 pet food registered with the department as follows:

4 (1) beginning January 1, 2021, fifty dollars
5 (\$50.00);

6 (2) beginning January 1, 2022, seventy-five
7 dollars (\$75.00); and

8 (3) on and after January 1, 2023, one hundred
9 dollars (\$100).

10 B. The provisions of Subsection A of this section
11 do not apply in cases of:

12 (1) ~~[prescription diet]~~ pet food prescribed by
13 a veterinarian; or

14 (2) pet food manufactured by a person who
15 demonstrates to the board, in a manner prescribed by the board,
16 that the person's tax-year annual gross revenue from the
17 distribution of pet food is no more than three million dollars
18 (\$3,000,000).

19 C. The fee collected pursuant to Subsection A of
20 this section shall be distributed as follows:

21 (1) ninety-six percent of the fee shall be
22 deposited with the state treasurer and credited to the
23 statewide spay and neuter subaccount of the animal care and
24 facility fund; and

25 (2) four percent of the fee shall be

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1 distributed to the department to administer the New Mexico
2 Commercial Feed Act."

3 SECTION 11. Section 76-24-8 NMSA 1978 (being Laws 2019,
4 Chapter 116, Section 6, as amended) is amended to read:

5 "76-24-8. HEMP MANUFACTURERS--PERMITS--RULES--
6 REQUIREMENTS.--

7 A. The department of environment shall issue
8 permits pursuant to rules issued under Subsection C of this
9 section to extract, process or engage in other manufacturing
10 activities regarding hemp, including manufacturing intermediate
11 hemp-derived products and hemp finished products.

12 B. A person shall not extract, process or engage in
13 other manufacturing activities regarding hemp, including
14 manufacturing intermediate hemp-derived products and hemp
15 finished products without a permit issued by the department of
16 environment or a license issued pursuant to Subsection C of
17 Section 76-24-10 NMSA 1978.

18 C. The department of environment shall adopt rules
19 that include:

20 (1) procedures for the issuance, denial,
21 renewal, suspension and revocation of a permit issued by the
22 department of environment to manufacture hemp products,
23 including permit terms and procedures for appeal of a denial,
24 suspension or revocation that include notice and opportunity
25 for a hearing;

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1 (2) qualifications for permitting that include
2 health, sanitation, safety and security;

3 (3) proficiency standards and requirements for
4 storage, recordkeeping and inspections;

5 (4) requiring, and providing a process for,
6 the use or disposal of hemp-derived material containing THC
7 levels of more than three-tenths percent; and

8 (5) fees [~~not to exceed the lesser of one~~
9 ~~thousand dollars (\$1,000) or the cost~~] to cover the reasonable
10 costs necessary to carry out the of administration of a permit
11 issued pursuant to this section.

12 D. A hemp manufacturer that produces intermediate
13 hemp-derived products or hemp finished products intended for
14 human consumption by eating or drinking are subject to the
15 provisions of the Food Service Sanitation Act and the New
16 Mexico Food Act.

17 E. Hemp finished products produced by a hemp
18 manufacturer holding a permit issued pursuant to this section
19 shall not be deemed adulterated as that term is used in the
20 Food Service Sanitation Act and the New Mexico Food Act.

21 F. Fees collected pursuant to this section shall be
22 deposited in the environmental health fund.

23 G. A permit issued pursuant to this section does
24 not relieve the holder of the permit of the responsibility to
25 obtain other licenses or permits as required by law."

.229826.3

1 SECTION 12. REPEAL.--

2 A. Laws 1991, Chapter 185, Section 2 is repealed.

3 B. Laws 2020, Chapter 69, Section 6 is repealed.

4 C. Section 74-3-10.1 NMSA 1978 (being Laws 2000,
5 Chapter 86, Section 5) is repealed.

6 SECTION 13. EFFECTIVE DATE.--The effective date of the
7 provisions of this act is July 1, 2025.