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FISCAL IMPACT REPORT

LAST UPDATED _____
ORIGINAL DATE 2/5/2025

SPONSOR Campos

BILL
NUMBER Senate Bill 113

SHORT TITLE Board and Commission Sunset Dates

ANALYST Montano

REVENUE* (dollars in thousands)

Type	FY25	FY26	FY27	FY28	FY29	Recurring or Nonrecurring	Fund Affected
Fee	\$1,189.9	\$1,196.1	\$1,202.3	\$1,208.5	\$1,214.8	Recurring	Barber & Cosmetology Fund
Fee	\$36.6	\$37.6	\$38.6	\$39.5	\$40.5	Recurring	Landscape Architects Fund
Fee	\$36.6	\$35.5	\$34.5	\$33.4	\$32.4	Recurring	Nursing Home Admin. Fund

Parentheses () indicate revenue decreases.

*Amounts reflect most recent analysis of this legislation.

Sources of Information

LFC Files

Agency Analysis Received From

Regulation and Licensing Department (RLD)

Energy, Minerals and Natural Resources Department (EMNRD)

Environment Department (NMED)

SUMMARY

Synopsis of Senate Bill 113

The Sunset Omnibus Bill, Senate Bill 113 (SB113), proposes extending the life of five boards pursuant to the provisions of the Sunset Act. Each of the following boards and commissions would be extended by six years should this bill be enacted: Board of Barbers and Cosmetologists, Board of Nursing Home Administrators, Board of Landscape Architects, Water Quality Control Commission, and Coal Surface Mining Commission. Specifically, SB113 amends state law to provide a new sunset date of July 1, 2031, for the following boards or commissions that are currently scheduled to sunset as of July 1, 2025. SB113 also extends the repeal dates of the acts governing these boards to July 1, 2032, providing for the extra year in state law intended to provide the agencies time to “wind down” operations:

- Board of Barbers and Cosmetologists (NMSA 1978, Section 61-17A-16)
- Board of Nursing Home Administrators (NMSA 1978, Section 61-1-34)
- Board of Landscape Architects (NMSA 1978, Section 61-24B-11)

- Water Quality Control Commission (NMSA 1978, Section 74-6-3).
- Coal Surface Mining Commission (NMSA, Section 69-25A-1)

This bill does not contain an effective date, and as a result, would go into effect June 16, 2025, 90 days after the Legislature adjourns, if signed.

FISCAL IMPLICATIONS

There will be no fiscal implications for extending the life of the Coal Surface Mining Commission (CSMC), which is administratively attached to the Energy, Minerals and Natural Resources Department (EMNRD). The CSMC does not have a separate budget; any costs of holding meetings and paying per diem would be covered under the mine reclamation program in the EMNRD budget and paid for with federal grant funds.

The New Mexico Environment Department (NMED) regularly interacts with, and is administratively attached to, the New Mexico Water Quality Control Commission (WQCC). As such, NMED regularly anticipates and includes anticipated fiscal implications related to the WQCC in its budget. NMED anticipates no additional financial impact from passage of SB113.

The Board of Barbers and Cosmetologists, the Board of Nursing Home Administrators, and the Board of Landscape Architects are administratively attached to the Regulation and Licensing Department (RLD) and are self-sustaining from the revenue each board generates from fees. RLD provided estimated revenues for FY26 based on an average of the revenue generated for the past three years.

SIGNIFICANT ISSUES

The LFC Sunset Subcommittee held a hearing on renewing the boards and commissions included in this bill, resulting in a unanimous recommendation that the sunset dates be extended for all five of the boards and commissions. The purpose of these boards is to provide for control, supervision, licensure, and regulation of the practice of these professions. The subcommittee vote suggests requiring licensure for these professionals benefits New Mexicans.

Four of the five boards and commissions had at least one missing board member, and it was recommended by the full LFC subcommittee that these boards and commissions fill these vacancies.

ADMINISTRATIVE IMPLICATIONS

Should any of the boards or commissions not be continued, administrative duties for the maintenance of the board would cease. Some of the boards are independent and have their own staff, while others function under the administrative attachment to the Regulation and Licensing Department or other departments.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The Board of Barbers and Cosmetologists, Board of Nursing Home Administrators, Board of Landscape Architects, Water Quality Control Commission, and Coal Surface Mining Commission would sunset July 1, 2025, and terminate June 30, 2026. The oversight of specific areas of responsibility with which the boards and commissions are tasked with would either cease or would need to be reassigned elsewhere.

POSSIBLE QUESTIONS

NM/r/SR