

HOUSE COMMERCE AND ECONOMIC DEVELOPMENT
COMMITTEE SUBSTITUTE FOR
HOUSE BILL 20

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

AN ACT

RELATING TO ECONOMIC DEVELOPMENT; CREATING THE TECHNOLOGY AND
INNOVATION DIVISION WITHIN THE ECONOMIC DEVELOPMENT DEPARTMENT;
PROVIDING POWERS AND DUTIES; CREATING THE TECHNOLOGY AND
INNOVATION NETWORK ADVISORY BOARD; ENACTING THE RESEARCH,
DEVELOPMENT AND DEPLOYMENT FUND ACT; CREATING THE RESEARCH,
DEVELOPMENT AND DEPLOYMENT FUND; PROVIDING FOR MATCH FUNDING
FOR CERTAIN PROJECTS THAT PROMOTE CERTAIN GOALS; ESTABLISHING
AN APPLICATION PROCESS, ELIGIBILITY REQUIREMENTS AND AWARD
TERMS; REQUIRING REPORTING; CREATING THE TECHNOLOGY INNOVATION
PRIZE AND PROVIDING REQUIREMENTS FOR ELIGIBILITY AND RECEIVING
PRIZE MONEY; TRANSFERRING OFFICE FUNCTIONS, PERSONNEL, MONEY
AND PROPERTY TO THE TECHNOLOGY AND INNOVATION DIVISION;
REPEALING SECTIONS 9-15-16 AND 9-15-17 NMSA 1978 (BEING LAWS
1991, CHAPTER 21, SECTIONS 21 AND 22) TO REMOVE OBSOLETE
PROVISIONS; MAKING APPROPRIATIONS.

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

SECTION 1. Section 9-15-4 NMSA 1978 (being Laws 1983, Chapter 297, Section 4, as amended) is amended to read:

"9-15-4. DEPARTMENT ESTABLISHED.--The "economic development department" is created in the executive branch. The department shall be a cabinet department and shall consist of, but not be limited to, seven divisions as follows:

- A. the administrative services division;
- B. the economic development division;
- C. the New Mexico film division;
- D. the technology [~~enterprise~~] and innovation division;
- E. the trade and Mexican affairs division;
- F. the New Mexico outdoor recreation division; and
- G. the creative industries division."

SECTION 2. A new section of the Economic Development Department Act is enacted to read:

"[NEW MATERIAL] TECHNOLOGY AND INNOVATION DIVISION-- DUTIES.--

A. The "technology and innovation division" is created in the department. In addition to any organizational units, programs or funds that the secretary assigns to the technology and innovation division, the division consists of the office of strategy, science and technology.

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1 B. The technology and innovation division, in
 2 addition to other duties that may be assigned to the division
 3 by the secretary or by law, is authorized to:

4 (1) engage and coordinate with the technology
 5 and innovation network advisory board and the broader business
 6 community;

7 (2) support and coordinate with the target
 8 sector subcommittees of the technology and innovation network
 9 advisory board;

10 (3) represent New Mexico at national
 11 conferences and trade shows related to technology and
 12 innovation, focusing on the target sectors;

13 (4) identify and support applications for
 14 federal grant opportunities in the target sectors;

15 (5) support and develop ecosystems in New
 16 Mexico in the target sectors;

17 (6) provide program staff for each target
 18 sector to coordinate and serve as liaisons to target sector
 19 ecosystems in New Mexico;

20 (7) market and promote New Mexico's target
 21 sectors within and without New Mexico;

22 (8) administer the Research, Development and
 23 Deployment Fund Act, including:

24 (a) establishing, maintaining and
 25 administering the application process;

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- 1 (b) reviewing and evaluating grant
2 proposals;
- 3 (c) monitoring the progress and outcomes
4 of projects awarded funding;
- 5 (d) ensuring compliance with fund
6 matching requirements;
- 7 (e) tracking and reporting on the
8 performance of the research, development and deployment fund;
9 and
- 10 (f) coordinating and managing the awards
11 process in consultation with the technology and innovation
12 network advisory board;
- 13 (9) develop and maintain a statewide
14 technology and innovation strategic plan that:
- 15 (a) aligns with state economic
16 development goals;
- 17 (b) identifies key innovation assets and
18 opportunities;
- 19 (c) establishes metrics for measuring
20 progress and success; and
- 21 (d) outlines strategies for the
22 development of target sector ecosystems;
- 23 (10) collect, analyze and report to the
24 department on innovation metrics, including:
- 25 (a) economic impacts of division

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1 programs;

2 (b) state innovation performance

3 indicators;

4 (c) ecosystem development metrics; and

5 (d) returns on investment of state

6 funding;

7 (11) support technology transfer and
8 commercialization through:

9 (a) facilitating connections between
10 researchers and industry;

11 (b) providing technical assistance for
12 technology commercialization;

13 (c) supporting small business innovation
14 and incubation programs; and

15 (d) coordinating with federal and state
16 technology transfer programs;

17 (12) coordinate innovation initiatives across
18 state agencies, including:

19 (a) identifying opportunities for
20 collaboration;

21 (b) aligning resources and programs;

22 (c) reducing duplication of efforts; and

23 (d) maximizing impact of state

24 investments; and

25 (13) maintain databases and resources,

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1 including:

- 2 (a) state innovation assets and
3 capabilities;
4 (b) funding opportunities and resources;
5 (c) technical assistance providers; and
6 (d) ecosystem support organizations.

7 C. As used in this section, "target sectors" means
8 aerospace and space, biosciences, clean energy and water,
9 advanced computing, which includes artificial intelligence,
10 quantum computing and cybersecurity, and other sectors that are
11 strategic and important for statewide economic development."

12 SECTION 3. A new section of the Economic Development
13 Department Act is enacted to read:

14 "[NEW MATERIAL] TECHNOLOGY AND INNOVATION NETWORK ADVISORY
15 BOARD--CREATED--MEMBERS--DUTIES.--

16 A. The "technology and innovation network advisory
17 board" is created in the technology and innovation division of
18 the department. The advisory board consists of an executive
19 committee and any subcommittees created by the executive
20 committee. The advisory board is composed of the following:

21 (1) the secretary or the secretary's designee,
22 to serve as chair;

23 (2) eleven members who may collectively be
24 referred to as "core members", including the president of the
25 New Mexico independent community colleges or that president's

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1 designee, the president of the New Mexico chamber of commerce
 2 or that president's designee and one representative from each
 3 of the following:

- 4 (a) Sandia national laboratories;
- 5 (b) Los Alamos national laboratory;
- 6 (c) the United States air force research
 7 laboratory;
- 8 (d) New Mexico state university;
- 9 (e) the university of New Mexico;
- 10 (f) the university of New Mexico health
 11 sciences center;
- 12 (g) the New Mexico institute of mining
 13 and technology;
- 14 (h) Navajo technical university; and
- 15 (i) central New Mexico community
 16 college;

17 (3) a representative from each center of
 18 excellence established pursuant to Section 21-1-27.11 NMSA 1978
 19 that is not otherwise represented on the board; and

20 (4) the following public members to be
 21 appointed by the secretary:

- 22 (a) one representative from a skilled
 23 trades association in New Mexico;
- 24 (b) one representative from a regional
 25 economic development organization;

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1 (c) one representative from an Indian
2 nation, tribe or pueblo;

3 (d) one representative from the private
4 equity industry with at least five years of relevant
5 experience;

6 (e) one representative from the venture
7 capital industry with at least five years of relevant
8 experience;

9 (f) one representative from a New Mexico
10 business incubator or accelerator with at least five years of
11 relevant experience; and

12 (g) eight representatives who are
13 industry alliance members or have at least five years of
14 relevant experience working in entrepreneurial support. Two
15 representatives shall be from each of the following four target
16 sectors: aerospace and space, biosciences, clean energy and
17 water and advanced computing.

18 B. The technology and innovation network advisory
19 board is created to unite various sector perspectives to assist
20 in the guidance and ongoing strategic planning of the division.
21 The advisory board shall:

22 (1) provide to the technology and innovation
23 division recommendations for strategic engagement, industry
24 perspective, sectors that the division should make target
25 sectors and feedback on the division's programs and

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1 initiatives;

2 (2) assist with ensuring active engagement
3 between the state and the private sector;

4 (3) assist the technology and innovation
5 division with administering the Research, Development and
6 Deployment Fund Act, including providing recommendations to
7 that division for eligibility requirements, funding priorities
8 and the awarding of project funding; and

9 (4) publish annual performance reports by
10 December of each year that identify near-term constraints and
11 challenges, identify opportunities and long-term trends and
12 provide sector survey metrics and policy recommendations.

13 C. The technology and innovation network advisory
14 board shall meet, beginning in 2025, not less than quarterly at
15 the call of the chair or at the request of two-fifths of its
16 membership to carry out its duties. A majority of the members
17 constitutes a quorum for the transaction of business, and the
18 support of a majority of the quorum is required for adoption of
19 any action.

20 D. Appointments to the technology and innovation
21 network advisory board shall be made by and the terms of
22 service of appointed members shall start on September 1, 2025.
23 The terms shall be four years, and the initial terms shall be
24 staggered so that the terms of one-half of the members shall
25 expire at the end of the initial two years and the terms of the

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1 remaining members shall expire at the end of the initial four
2 years. The initial terms shall be selected by random drawing.

3 E. Each member of the advisory board shall,
4 pursuant to a policy adopted by and on forms required by the
5 executive committee of the board, disclose conflicts of
6 interest annually.

7 F. In the event of a vacancy on the technology and
8 innovation network advisory board, a new member shall be
9 appointed by the original appointing authority for the
10 remainder of the unexpired term. A member may be removed by
11 the secretary or by a two-thirds' vote of the executive
12 committee members.

13 G. Public members of the technology and innovation
14 network advisory board are entitled to receive per diem and
15 mileage as provided in the Per Diem and Mileage Act and shall
16 receive no other compensation, perquisite or allowance.

17 H. The staff for the technology and innovation
18 network advisory board shall be provided by the technology and
19 innovation division of the department, and the staff shall
20 provide:

21 (1) administrative and technical support for
22 the advisory board;

23 (2) assistance with the coordination and
24 documentation of board, executive committee and subcommittee
25 meetings;

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1 (3) assistance with reporting requirements and
2 metric tracking; and

3 (4) support with the administration of
4 grants."

5 SECTION 4. A new section of the Economic Development
6 Department Act is enacted to read:

7 "[NEW MATERIAL] TECHNOLOGY AND INNOVATION NETWORK ADVISORY
8 BOARD--EXECUTIVE COMMITTEE--SUBCOMMITTEES--COMPOSITION AND
9 DUTIES.--

10 A. There is created within the technology and
11 innovation network advisory board an executive committee.

12 B. The executive committee is composed of the
13 following members of the technology and innovation network
14 advisory board:

15 (1) the chair;
16 (2) two core members;
17 (3) two of the public members appointed by the
18 secretary; and

19 (4) one representative from each of the
20 following four target sectors: aerospace and space,
21 biosciences, clean energy and water and advanced computing.

22 C. The executive committee shall oversee the
23 technology and innovation network advisory board's operations,
24 set meeting agendas, review and approve subcommittee
25 recommendations and make time-sensitive decisions between full

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1 board meetings.

2 D. A subcommittee shall be composed of the two
3 representatives from the corresponding target sector, one
4 representative from a laboratory, one representative from a
5 university, one representative from private industry and the
6 secretary or the secretary's designee to serve as chair. The
7 subcommittee members shall elect a vice chair. A member of the
8 public may apply to the executive committee to be a nonvoting
9 member of a subcommittee, and the executive committee shall
10 adopt policies and procedures necessary for such an application
11 and evaluation process.

12 E. A subcommittee created shall develop sector-
13 specific metrics and goals, review and assess relevant grant
14 proposals, monitor sector performance and trends, prepare
15 annual reports and identify cross-sector opportunities.

16 F. The executive committee, beginning September 1,
17 2025, and any subcommittees created shall meet not less than
18 quarterly at the call of the chair or at the request of
19 two-fifths of its membership to carry out its duties. A
20 majority of the members constitutes a quorum for the
21 transaction of business, and the support of a majority of the
22 quorum is required for adoption of any action."

23 SECTION 5. [NEW MATERIAL] SHORT TITLE.--Sections 5
24 through 11 of this act may be cited as the "Research,
25 Development and Deployment Fund Act".

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1 SECTION 6. [NEW MATERIAL] DEFINITIONS.--As used in the
2 Research, Development and Deployment Fund Act:

3 A. "applicant" means a person or entity applying
4 for project funding;

5 B. "applicant match" means money for a project
6 provided by an applicant or a partnering entity that is not a
7 political subdivision of the state;

8 C. "board" means the technology and innovation
9 network advisory board established pursuant to Section 3 of
10 this 2025 act;

11 D. "business" means any corporation, partnership,
12 limited liability company, joint venture or other similar legal
13 entity registered in New Mexico;

14 E. "department" means the economic development
15 department;

16 F. "division" means the technology and innovation
17 division of the department;

18 G. "documented need" means language in
19 solicitations for non-state funding or other communications
20 from authorized officials within a non-state funding agency or
21 corporation that clearly states that regional or institutional
22 support, commitments or matching funds will be used in the
23 evaluation of proposals for non-state funding;

24 H. "fund" means the research, development and
25 deployment fund;

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1 I. "public entity" means a political subdivision of
2 the state, a state agency or a national laboratory or public
3 post-secondary educational institution in New Mexico; and

4 J. "target sector" means aerospace and space,
5 biosciences, clean energy and water, advanced computing, which
6 includes artificial intelligence, quantum computing and
7 cybersecurity, and other sectors that are strategic and
8 important for statewide economic development.

9 SECTION 7. [NEW MATERIAL] RESEARCH, DEVELOPMENT AND
10 DEPLOYMENT FUND.--

11 A. The "research, development and deployment fund"
12 is created as a nonreverting fund in the state treasury. The
13 fund consists of distributions, appropriations, gifts, grants,
14 donations and income from investment of the fund. The
15 department shall administer the fund. Money in the fund is
16 appropriated to the department for the purposes of catalyzing
17 innovation, economic growth and job creation by providing
18 early-stage capital and financial support to emerging
19 technologies, start-up businesses and research initiatives that
20 align with the state's economic development plan through
21 project awards pursuant to the Research, Development and
22 Deployment Fund Act.

23 B. Expenditures from the fund shall be by warrant
24 of the secretary of finance and administration pursuant to
25 vouchers signed by the secretary of economic development or the

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1 secretary's authorized representative.

2 SECTION 8. [NEW MATERIAL] PROJECT FUNDING--DEPARTMENT
3 DUTIES--APPLICATIONS.--

4 A. The division shall administer the provisions of
5 the Research, Development and Deployment Fund Act to provide
6 project funding to applicants that meet all eligibility
7 requirements. The division shall:

8 (1) establish a streamlined application
9 process pursuant to the requirements of the Research,
10 Development and Deployment Fund Act, with:

11 (a) eligibility requirements and funding
12 priorities, which shall be established in consultation with the
13 board; and

14 (b) an option for the expedited review
15 and processing of applications for applicants who submit
16 additional justifying documentation of exigent circumstances,
17 as required by the department;

18 (2) establish clear application evaluation
19 criteria that are aligned with state economic development
20 goals;

21 (3) award project funding in consultation with
22 the board's recommendations;

23 (4) verify applicant match funding
24 requirements for a project when a match is applicable or match
25 funding is being requested;

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1 (5) monitor ongoing compliance with a funded
2 project's match requirements when a match is applicable or
3 match funding is being requested;

4 (6) establish procedures for addressing
5 undelivered applicant funding commitments;

6 (7) annually report with the department to the
7 legislature and governor on the administration, performance and
8 efficacy of the Research, Development and Deployment Fund Act;
9 and

10 (8) promulgate rules necessary to implement
11 and administer the provisions of the Research, Development and
12 Deployment Fund Act, in consultation with the board.

13 B. Applications may be submitted:

14 (1) up to three hundred sixty-five days prior
15 to anticipated federal or private sector grant deadlines for
16 new or recurring published opportunities;

17 (2) for pending proposals with multistage
18 reviews that have been submitted but have not had an award
19 finalized or, subject to department approval, within ninety
20 days after such an award is finalized;

21 (3) for project funding awards pending
22 successful non-state funding or private grant applications;

23 (4) for re-application by an applicant who has
24 previously been denied project funding; provided that the
25 applicant makes changes and improvements based on any feedback

1 received from the prior application; and

2 (5) in response to grant award solicitations
3 by the division.

4 C. In administering the provisions of the Research,
5 Development and Deployment Fund Act, the division shall not:

6 (1) impose limitations on the amount of
7 project funding that may be awarded to public post-secondary
8 educational institutions, except as provided in the Research,
9 Development and Deployment Fund Act; or

10 (2) restrict the awarding of project funding
11 to only research activities.

12 SECTION 9. [NEW MATERIAL] ELIGIBILITY REQUIREMENTS.--

13 A. To be eligible for project funding:

14 (1) an applicant shall be a public entity or a
15 business registered in New Mexico;

16 (2) an applicant's project shall be reasonably
17 expected to do two or more of the following in New Mexico:

18 (a) advance innovation in at least one
19 of the target sectors;

20 (b) foster collaboration between at
21 least two of the following: private industry, a national
22 laboratory, a federal agency or a public entity;

23 (c) leverage federal or private
24 investment;

25 (d) create new economic opportunities;

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- 1 (e) create new jobs and workforce
2 training opportunities; and
- 3 (f) advance the commercialization of a
4 technology in at least one of the target sectors;
- 5 (3) an applicant shall submit:
- 6 (a) a project budget that includes
7 proposed and anticipated funding from state and non-state
8 sources;
- 9 (b) one or more letters of support or
10 letters of commitment of resources to the project;
- 11 (c) if a public entity, at least one
12 partnership agreement entered into for the purposes of the
13 project from partners not under the control of the applicant;
- 14 (d) a time line detailing when and how
15 project funding will be expended;
- 16 (e) a time line for non-state funding
17 availability and applicant match funding availability, if
18 applicable; and
- 19 (f) a valuation methodology for in-kind
20 contributions, if applicable;
- 21 (4) if applicable due to a match requirement,
22 an applicant shall submit evidence satisfactory to the division
23 that the applicant has received applicant match in an amount
24 that is equal to or greater than the amount of project funding
25 the applicant is requesting, including certification by the

1 applicant of such a fact;

2 (5) if an applicant is seeking project funding
 3 in connection with or as part of a separate application for
 4 grant money that requires cost sharing, matching funds,
 5 institutional support or regional financial commitments as a
 6 condition of eligibility for that grant money, the applicant
 7 shall submit written evidence from the entity providing that
 8 grant money that clearly states such requirements will be used
 9 in the evaluation of applications for that grant money. If no
 10 such written evidence exists of the requirements for
 11 institutional support or regional financial commitment, the
 12 applicant may submit alternative proof of the requirements and
 13 the division shall establish criteria and, on a case-by-case
 14 basis, evaluate whether the proof is sufficient; and

15 (6) an applicant shall meet all other
 16 eligibility requirements of the division, which the division
 17 shall establish in consultation with the board.

18 B. In lieu of evidence of documented need for
 19 project funding required pursuant to Subsection A of this
 20 section, an applicant may include with the applicant's
 21 application a justification for why project funding is
 22 necessary for the project to be successful and effectively
 23 promote state interests in one or more target sectors.

24 C. When an applicant's project has a match
 25 requirement, the division may reduce applicant match

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1 requirements by up to fifty percent for projects:

2 (1) that primarily benefit communities that
3 are rural or part of Indian nations, tribes or pueblos;

4 (2) led by minority-serving public post-
5 secondary educational institutions as defined in federal law;
6 or

7 (3) that address critical state needs as
8 determined by the department in its statewide economic plan.

9 D. An in-kind contribution to a project may qualify
10 as a portion of an applicant's required match when the:

11 (1) value of the in-kind contribution can be
12 independently verified;

13 (2) in-kind contribution is essential to the
14 project's success, as determined by the division;

15 (3) in-kind contribution would otherwise be a
16 legitimate project expense; and

17 (4) total in-kind contributions to a project
18 constitute no more than fifty percent of the applicant match.

19 SECTION 10. [NEW MATERIAL] PROJECT FUNDING AWARDS--
20 PROCESS--TERMS.--

21 A. Priority shall be given to projects that:

22 (1) create high-quality, high-wage jobs in New
23 Mexico;

24 (2) when applicable, have higher percentages
25 of matching funds from non-public entities;

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1 (3) demonstrate strong potential for
2 commercialization in a target sector;

3 (4) support the growth of New Mexico-based
4 companies;

5 (5) benefit communities that are rural or in
6 an Indian nation, tribe or pueblo; and

7 (6) provide opportunities for broad regional
8 participation.

9 B. Awards of project funding shall:

10 (1) allow for multiyear project periods
11 aligned with federal or private sector grant or other non-state
12 funding opportunity time lines;

13 (2) permit pre-award project spending by
14 applicants when necessary to meet non-state grant application
15 deadlines; provided that applicants shall use non-state funding
16 or other institutional funding for pre-award spending; and

17 (3) provide that a certain amount of the
18 funding may be used for an applicant's administrative costs to
19 implement the project.

20 SECTION 11. [NEW MATERIAL] REPORTING.--On or before
21 December 1 of 2025 and of every year thereafter, the department
22 shall provide a report to the governor, the legislative finance
23 committee and the appropriate interim committees that study
24 economic development regarding the administration, efficacy and
25 performance of the Research, Development and Deployment Fund

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1 Act, including:

- 2 A. projects that have been awarded funding;
- 3 B. for each project, the dollar amounts awarded,
- 4 the amount of non-state matching funds the project received, if
- 5 applicable, and the amount of non-state funding leveraged;
- 6 C. updates on the progress, performance, outcomes
- 7 and impacts of each project that was awarded funding;
- 8 D. total jobs created and retained in New Mexico;
- 9 E. return on investment of state money spent
- 10 pursuant to the Research, Development and Deployment Fund Act;
- 11 F. any additional investment that was attracted to
- 12 the state and state-owned businesses; and
- 13 G. other relevant performance metrics, including
- 14 those recommended by the board to measure the success of the
- 15 Research, Development and Deployment Fund Act and the state's
- 16 investment of public money pursuant to that act.

17 SECTION 12. A new section of the Economic Development
18 Department Act is enacted to read:

19 "[NEW MATERIAL] TECHNOLOGY INNOVATION PRIZE--ELIGIBILITY--
20 REQUIREMENTS--PARTICIPATION--ADMINISTRATION.--

21 A. The department shall establish and administer
22 the "technology innovation prize program". The prize program
23 shall provide:

- 24 (1) no less than five million dollars
- 25 (\$5,000,000) for the top award recipient;

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1 (2) no less than one million dollars
2 (\$1,000,000) each for the next two award recipients; and

3 (3) additional award amounts as recommended
4 and approved by the technology and innovation network advisory
5 board.

6 B. Technology innovation prizes shall only be
7 awarded to companies that provide technological innovation in
8 the following sectors:

9 (1) clean energy and water;

10 (2) aerospace and space;

11 (3) advanced computing, including quantum
12 computing, artificial intelligence and cybersecurity;

13 (4) biosciences; or

14 (5) other sectors that are recommended through
15 resolution of the technology and innovation network advisory
16 board.

17 C. To be eligible for a technology innovation
18 prize, an applicant shall:

19 (1) be a business registered in New Mexico;

20 (2) have a substantial presence in New Mexico
21 or commit to establishing such presence; and

22 (3) in the case of an international applicant,
23 maintain a contractual partnership with a New Mexico-based
24 entity.

25 D. Before receiving technology innovation prize

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1 money, a recipient shall enter into a contract with the
2 department that requires the recipient to:

3 (1) maintain operations and a substantial
4 presence in New Mexico for a minimum of three years after
5 receiving the award;

6 (2) create and maintain for at least three
7 years after receiving prize money a number of jobs in New
8 Mexico, as required by the department;

9 (3) participate in science, technology,
10 engineering and mathematics education initiatives within the
11 state; and

12 (4) repay to the department the prize money at
13 a fair current market interest rate if the recipient accepts
14 the prize money and fails to meet a requirement of this
15 section.

16 E. The department shall establish or coordinate
17 with existing programs to provide technology innovation prize
18 money recipients with:

19 (1) access to New Mexico's national
20 laboratories for consultation;

21 (2) mentorship opportunities with industry
22 experts; and

23 (3) networking events with potential investors
24 and partners.

25 F. The department, with approval from the

1 technology and innovation network advisory board and for the
 2 purposes of administering the technology innovation prize
 3 program, shall create a steering committee, develop program
 4 time lines, establish application rules and guidelines,
 5 establish partnerships and determine resource allocation.

6 G. The department shall promulgate rules as
 7 necessary to carry out the provisions of this section.

8 H. As used in this section, "business" means any
 9 corporation, partnership, limited liability company, joint
 10 venture or other similar legal entity."

11 SECTION 13. Section 9-15-18 NMSA 1978 (being Laws 1991,
 12 Chapter 21, Section 23) is amended to read:

13 "9-15-18. PROPRIETARY INFORMATION.--

14 A. Any information obtained by the technology
 15 [~~enterprise~~] and innovation division that is deemed by the
 16 director to be proprietary technical or business information
 17 shall be held in confidence. Proprietary technical or business
 18 information shall not be deemed a public record under the
 19 Public Records Act or be open to inspection under Section
 20 14-2-1 NMSA 1978. The technology [~~enterprise~~] and innovation
 21 division shall take such steps as are necessary to safeguard
 22 the confidentiality of the information.

23 B. Notwithstanding Sections 10-15-1 through 10-15-4
 24 NMSA 1978 or any other law requiring meetings of public bodies
 25 to be open to the public, meetings of the commission shall be

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1 closed when proprietary technical or business information is
2 discussed."

3 SECTION 14. Section 9-15-19 NMSA 1978 (being Laws 1991,
4 Chapter 21, Section 24) is repealed and a new Section 9-15-19
5 NMSA 1978 is enacted to read:

6 "9-15-19. [NEW MATERIAL] TECHNOLOGY AND INNOVATION FUND
7 CREATED.--The "technology and innovation fund" is created as a
8 nonreverting fund in the state treasury to replace the
9 technology enterprise fund. The fund consists of
10 distributions, appropriations, gifts, grants, donations, money
11 from cooperative research and technology transfer agreements
12 and income from investment of the fund. The economic
13 development department shall administer the fund. Money in the
14 fund is subject to appropriation by the legislature for
15 administering the provisions of Section 2 of this 2025 act.
16 Expenditures from the fund shall be by warrant of the secretary
17 of finance and administration pursuant to vouchers signed by
18 the secretary of economic development or the secretary's
19 authorized representative."

20 SECTION 15. TEMPORARY PROVISION--TRANSFER.--

21 A. On the effective date of this act:

22 (1) the office of strategy, science and
23 technology of the economic development department and the
24 office of entrepreneurship of the economic development
25 department, including the functions, personnel, appropriations,

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1 money, records and other property of those offices, shall be
 2 transferred to the technology and innovation division of the
 3 economic development department; and

4 (2) money in the technology enterprise fund
 5 shall be transferred to the technology and innovation fund.

6 B. The secretary of economic development shall
 7 assign other programs and funds management to the appropriate
 8 division.

9 C. Contractual obligations of any of the
 10 transferred units of the economic development department shall
 11 continue to be obligations of the department.

12 SECTION 16. APPROPRIATIONS.--

13 A. One hundred million dollars (\$100,000,000) is
 14 appropriated from the general fund to the research, development
 15 and deployment fund for expenditure in fiscal year 2026 and
 16 subsequent fiscal years for the purposes of the fund. Any
 17 unexpended or unencumbered balance remaining at the end of a
 18 fiscal year shall not revert to the general fund.

19 B. Ten million dollars (\$10,000,000) is
 20 appropriated from the general fund to the economic development
 21 department for expenditure in fiscal years 2026 through 2029 to
 22 award prizes pursuant to the technology innovation prize
 23 program. Any unexpended or unencumbered balance remaining at
 24 the end of fiscal year 2029 shall revert to the general fund.

25 SECTION 17. REPEAL.--Sections 9-15-16 and 9-15-17 NMSA

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1 1978 (being Laws 1991, Chapter 21, Sections 21 and 22) are
2 repealed.

3 SECTION 18. EFFECTIVE DATE.--The effective date of the
4 provisions of this act is July 1, 2025.

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