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HOUSE BILL 258

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

INTRODUCED BY

Matthew McQueen and Kristina Ortez

AN ACT

RELATING TO NATURAL RESOURCES; PROVIDING NATURAL GAS CAPTURE REQUIREMENTS FOR THE OPERATOR OF AN OIL OR GAS WELL OR NATURAL GAS GATHERING SYSTEM; PROVIDING EXCEPTIONS.

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

SECTION 1. A new section of the Oil and Gas Act is enacted to read:

"[NEW MATERIAL] NATURAL GAS CAPTURE REQUIREMENTS--RULES.--

A. Beginning January 1, 2027, an operator shall ensure that at least ninety-eight percent of the natural gas produced or gathered by the operator's facilities is captured in a calendar year; provided that natural gas shall not be included in the determination of an operator's overall capture percentage if that gas is:

- (1) released during an emergency;

underscored material = new
~~[bracketed material] = delete~~

underscoring material = new
~~[bracketed material] = delete~~

- 1 (2) beneficially used by the operator;
2 (3) not suitable for transportation or
3 processing due to nitrogen, hydrogen sulfide or carbon dioxide
4 concentrations;
5 (4) vented as a result of the normal operation
6 of pneumatic controllers and pumps; or
7 (5) vented or flared from an exploratory well.

8 B. The division shall promulgate rules necessary to
9 implement the provisions of this section.

10 C. As used in this section, "operator" means a
11 person that is duly authorized to construct, manage or operate
12 an oil or gas well or associated facilities or a natural gas
13 gathering system."