

1 SENATE BILL 240

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

3 INTRODUCED BY

4 Roberto "Bobby" J. Gonzales

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10 AN ACT

11 RELATING TO TIMBER; ENACTING THE STRUCTURAL WOOD GRADING ACT;
12 PROVIDING FOR IN-STATE STRUCTURAL WOOD GRADE CERTIFICATES;
13 PROVIDING FOR THE USE OF STRUCTURAL WOOD THAT IS GRADED IN-
14 STATE.

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

17 SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be
18 cited as the "Structural Wood Grading Act".

19 SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the
20 Structural Wood Grading Act:

21 A. "building inspector" means a person certified by
22 the construction industries division of the regulation and
23 licensing department and certified by one or more trade bureaus
24 to conduct inspections of permitted construction work to ensure
25 that all work performed by a contractor or homeowner complies

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1 with applicable building codes;

2 B. "certificate" means a document that verifies the
3 grade of structural wood that was milled in-state;

4 C. "division" means the forestry division of the
5 energy, minerals and natural resources department;

6 D. "grader" means the owner of a commercial sawmill
7 or the owner's designated employee who is licensed to inspect,
8 certify and grade a piece of lumber at that sawmill;

9 E. "license" means a structural wood grading
10 license;

11 F. "program" means the structural wood grading
12 licensure program; and

13 G. "structural wood" means dimensional lumber,
14 structural beams and vigas milled in New Mexico.

15 SECTION 3. [NEW MATERIAL] DIVISION POWERS AND DUTIES--
16 STRUCTURAL WOOD GRADING SYSTEM--STRUCTURAL WOOD GRADING
17 LICENSURE PROGRAM--STRUCTURAL WOOD GRADING LICENSE.--

18 A. The division shall:

19 (1) promulgate rules to carry out the
20 provisions of the Structural Wood Grading Act, including for
21 the:

22 (a) training and licensure of graders;

23 (b) training components and
24 qualification of program instructors;

25 (c) oversight of the program; and

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1 (d) grounds and processes for renewal,
2 suspension of licensure, revocation of licensure and hearings;

3 (2) develop and implement a state-specific
4 system to grade structural wood that is milled in-state and
5 then sold, transported or used in construction in-state;

6 (3) create a structural wood grading licensure
7 program accessible to sawmill owners and sawmill owners'
8 employees. The program may be provided by a public post-
9 secondary educational institution and shall provide training on
10 structural wood grading; and

11 (4) issue a structural wood grading license to
12 a person who completes the program.

13 B. The division may:

14 (1) charge fees not to exceed two hundred
15 fifty dollars (\$250) to fund the program; and

16 (2) issue a license to a person who has not
17 completed the program if the person provides the division with
18 proof of:

19 (a) current certification or licensure
20 from a grading agency accredited by the American lumber
21 standard committee; or

22 (b) a bachelor's or postgraduate degree
23 in forest products or wood science and technology or an
24 equivalent degree as determined by the division.

25 C. A license shall include the name of the

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1 recipient and the date of issuance. The license is a five-year
2 license that is not renewable unless the grader successfully
3 re-completes the program.

4 D. The division may suspend or revoke a license for
5 good cause, as provided by rule. The grader shall be given
6 notice of the reason for suspension and revocation and given
7 the opportunity for a hearing. Procedures for the notice,
8 hearing and final decision shall follow the procedures of the
9 Uniform Licensing Act. A final agency decision may be appealed
10 as provided in Section 39-3-1.1 NMSA 1978.

11 SECTION 4. [NEW MATERIAL] STRUCTURAL WOOD GRADE
12 CERTIFICATE--USE OF STRUCTURAL WOOD IN CONSTRUCTION.--

13 A. A grader shall prepare a written certificate for
14 any structural wood that has been graded and shall provide the
15 certificate to the purchaser of the structural wood. The
16 certificate shall include the following information:

- 17 (1) verification that the structural wood was
18 milled in a manner that meets the applicable building code
19 requirements for the type of structure and the location in
20 which the structural wood is to be used;
- 21 (2) the name of the wood species;
- 22 (3) the quantity of wood graded and certified;
- 23 (4) the location where the wood is to be used;
- 24 (5) the name and location of the commercial
25 sawmill where the wood was processed;

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- 1 (6) the name of the grader;
- 2 (7) the date on which the wood was cut and
- 3 processed;
- 4 (8) the date on which the wood was graded; and
- 5 (9) the moisture content of the wood at the
- 6 time of grading.

7 B. A grader shall only grade and certify structural
8 wood that was milled in a commercial sawmill that the grader
9 owns or is employed by.

10 C. Structural wood that has been graded and
11 certified in-state may be used in all housing in the state.

12 D. The end user of structural wood that has been
13 graded and certified in-state shall provide the written
14 certificate to the building inspector in lieu of a grade stamp.
15 Wood that has been graded and certified in-state is equivalent
16 to structural wood grade stamped by an accredited lumber
17 grading or inspection agency.