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FISCAL IMPACT REPORT

SPONSOR Cates LAST UPDATED _____
ORIGINAL DATE 3/5/2025
BILL _____
SHORT TITLE Landowner Liability in Special Districts NUMBER House Bill 29
ANALYST Gaussoin

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT*

(dollars in thousands)

Agency/Program	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
	No fiscal impact					

Parentheses () indicate expenditure decreases.

*Amounts reflect most recent analysis of this legislation.

Sources of Information

LFC Files

Agency Analysis Received From

New Mexico Attorney General (NMAG)

Department of Game and Fish (DGF)

Office of the State Engineer (OSE)

Agency Analysis was Solicited but Not Received From

Department of Finance and Administration (DFA)

Acequia Association

SUMMARY

Synopsis of House Bill 29

House Bill 29 (HB29) clarifies that special districts as defined by Chapter 73 in state law are not liable for any injury to hunters, fishers, trappers, campers, hikers, sightseers, or any other recreational users who use the land for free or for the maintenance of the land for safe use. Special districts include artesian water conservancy districts, acequia and community ditches, and other water districts and water utility authorities.

This bill does not contain an effective date and, as a result, would go into effect 90 days after the Legislature adjourns if enacted, or June 20, 2025.

FISCAL IMPLICATIONS

HB29 has no fiscal impact because it only adds special districts to existing law, which already exempts from liability any owner, lessee, or person in control of lands used for free.

SIGNIFICANT ISSUES

Although independent government units created for a specific purpose, special districts likely fall under the exemptions in existing law.

The New Mexico Attorney General lists the special districts identified in Chapter 73:

Artesian Conservancy Districts, Acequias and Community Ditches, Water Users' Associations, Drainage Districts, Irrigation Districts, Conservancy Districts, Tri-State Water Conservancy, Soil and Water Conservation Districts, Water and Sanitation Districts, Wind Erosion Districts, Region Transit Districts, and Water Utility Authorities.

The Office of the State Engineer reports New Mexico had 729 special districts as listed in U.S. Census of Governments: Organization, Table Name "Special-Purpose Local Governments by State: Census Years 1942 to 2022."

HG/hj/SL2