

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the Legislature. LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

FISCAL IMPACT REPORT

LAST UPDATED _____

SPONSOR Dow **ORIGINAL DATE** 1/31/2025

BILL

SHORT TITLE Sunshine Portal Fund Creation Links **NUMBER** House Bill 209

ANALYST Hilla

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT* (dollars in thousands)

Agency/Program	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
DoIT	No fiscal impact	\$50.0	No fiscal impact	\$50.0	Nonrecurring	General Fund

Parentheses () indicate expenditure decreases.
 *Amounts reflect most recent analysis of this legislation.

Sources of Information

LFC Files

Agency Analysis Received From

Department of Information Technology (DoIT)
 New Mexico Compilation Commission (NMCC)
 Office of Broadband Access and Expansion (OBAE)

Agency Analysis was Solicited but Not Received From

Department of Finance and Administration (DFA)

SUMMARY

Synopsis of House Bill 209

House Bill 209 (HB209) requires the Department of Information Technology (DoIT) to add links onto the Sunshine Portal that direct users to the statutory provision of each state fund listed under New Mexico Compilation Commission’s (NMCC’s) website.

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

DoIT anticipates a one-time cost of \$50 thousand to make the initial updates to the Sunshine Portal but predicts that it could sustain these changes in its operating budget in the following fiscal years. However, this would be an expense to the general fund as DoIT would not be able to adjust its enterprise rates given the timeframe of the bill. A one-time nonrecurring general fund special appropriation of \$50 thousand would be needed for DoIT to comply with HB209. Without sufficient funding for DoIT to work with its vendor, HB209 could impact the

department's enterprise revenue. This could interfere with DoIT's operating budget for its Enterprise Program, which is funded exclusively through enterprise revenue.

SIGNIFICANT ISSUES

DoIT states that it does not have the resources or expertise to properly identify all the laws that create state funds. However, NMCC states it would be able to work with DoIT to provide proper links to certain statutory provisions, so collaboration with both agencies should allow for proper statutory identification.

DoIT states that an effective date of December 2025, as opposed to 90 days after the Legislature adjourns, would allow more time for the department to release and encumber funding with the vendor that maintains the portal.

NMCC states that the language in HB209 is ambiguous in defining the mandatory new links. In other words, it is unclear whether it would be sufficient to have one new page that links to all the laws that create state funds, or if a unique link is required for each corresponding law. Additionally, NMCC states it is unclear whether the links will direct users to the law authorizing expenditure (how the fund may be spent/reversion implications), or if it should direct the user to the law creating the fund itself, which may not have additional information on how a state fund may be expended.

EH/rl/SR