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SENATE BILL 601

**52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

INTRODUCED BY

Ron Griggs

AN ACT

RELATING TO STATE RULES; REQUIRING RULES PROMULGATED BY THE OIL  
CONSERVATION COMMISSION OR THE OIL CONSERVATION DIVISION OF THE  
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT TO APPLY  
UNIFORMLY TO ALL COUNTIES; PROVIDING EXCEPTIONS.

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

**SECTION 1.** ~~[NEW MATERIAL]~~ OIL CONSERVATION COMMISSION AND  
OIL CONSERVATION DIVISION RULES--UNIFORM APPLICATION TO  
COUNTIES--EXCEPTIONS.--

A. The oil conservation commission or the oil  
conservation division shall not promulgate a rule affecting a  
specific county or counties, or identified portions thereof,  
unless that rule applies uniformly to all counties within the  
state.

B. All rules promulgated by the oil conservation

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1 commission or the oil conservation division that do not apply  
2 uniformly to all counties within the state are null and void  
3 unless a county subject to a nonuniform rule applies to the oil  
4 conservation division to request reinstatement of a nonuniform  
5 rule in effect on July 1, 2015 that is rendered null and void  
6 by this section.

7 C. A county seeking the reinstatement of a  
8 nonuniform rule pursuant to Subsection B of this section shall  
9 apply to the oil conservation division on or before October 31,  
10 2015.

11 D. An application by a county pursuant to  
12 Subsection B of this section shall be in writing and shall be:

13 (1) signed by a majority of the governing body  
14 requesting that the nonuniform rule be reinstated or made  
15 effective; or

16 (2) accompanied by a certified copy of the  
17 minutes of a meeting of the governing body at which the  
18 governing body approved a request that a nonuniform rule be  
19 reinstated or made effective.

20 E. Sixty days after the receipt by the oil  
21 conservation division of a request for the reinstatement of a  
22 nonuniform rule or a request that a nonuniform rule be  
23 effective, the nonuniform rule shall be deemed in effect in the  
24 county making the request.

25 F. As used in this section:

.199273.3

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1 (1) "oil conservation commission" means the  
2 commission created pursuant to Section 70-2-4 NMSA 1978;

3 (2) "oil conservation division" means the oil  
4 conservation division of the energy, minerals and natural  
5 resources department;

6 (3) "pool" means any underground reservoir  
7 containing a common accumulation of oil or gas; and

8 (4) "rule" means any rule, regulation, order,  
9 standard or statement of policy, including amendments thereto  
10 or repeals thereof, issued or promulgated after January 1,  
11 2005; provided, however, that "pool", as used in this section,  
12 does not include a rule, regulation, order, standard or  
13 statement of policy, including amendments thereto or repeals  
14 thereof, that provides for the development of a specific pool  
15 or portion thereof.

16 SECTION 2. EFFECTIVE DATE.--The effective date of the  
17 provisions of this act is July 1, 2015.