

LFC Requester:

Austin Davidson

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: Jan 22, 2025

Check all that apply:

Bill Number: HB33

Original Correction
Amendment Substitute

Sponsor: Rep. Sariñana

Agency Name and Code Number: 305 – New Mexico
Department of Justice

Person Writing

Short Title: Prohibit New Emissions in
High Ozone Counties

Analysis: J. Spenser Lotz

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
 Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator’s request. The analysis does not represent any official policy or legal position of the NM Department of Justice.

BILL SUMMARY

Synopsis: HB 33 proposes to modify the Air Quality Control Act NMSA Section 74-2-1, to prohibit the construction of new sources of ozone related to the oil and gas industry in counties where ozone exceeds National Ambient Air Quality Standards (NAAQS) under the Clean Air Act.

FISCAL IMPLICATIONS

N/A.

SIGNIFICANT ISSUES

The bill does not mention the type of pollution emitted by the source. Therefore it appears to prohibit all new sources, including those unrelated to ozone. This may be intentional but if not insertion of “ozone precursor” between “new” and “source” could clarify the type of pollution source to be controlled, if desired.

PERFORMANCE IMPLICATIONS

N/A.

ADMINISTRATIVE IMPLICATIONS

N/A.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A.

TECHNICAL ISSUES

N/A.

OTHER SUBSTANTIVE ISSUES

N/A.

ALTERNATIVES

N/A.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

N/A