LFC Requester:	
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AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

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(Analysis must be uploaded as a PDF)

SECTION I: GENERAL INFORMATION

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

Date Prepared:January 28, 2025Check all that apply:Bill Number:SB 34Original X Correction AmendmentSubstitute

Senator Stefanics, Senator Agency Name

McQueen, Senator Chandler, and Code Tourism 418

Sponsor: Senator Wirth **Number**:

Short OUTDOOR LIGHT Person Writing Novela Salazar

Title: REQUIREMENTS & EXEMPTIONS Phone: 5054907185 Email novela.salazar@td.nm.

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropr	iation	Recurring	Fund	
FY25	FY26	or Nonrecurring	Affected	
NFI	NFI	NFI	NFI	

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring	Fund	
FY25	FY26	FY27	or Nonrecurring	Affected	
NFI	NFI	NFI	NFI	NFI	

(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	NFI	NFI	NFI	NFI	NFI	NFI

(Parenthesis () Indicate Expenditure Decreases)

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

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: Senate Bill 34 proposes amend the Night Sky Protection Act by increasing requirements for shielding outdoor light fixtures and introducing new exemptions.

Section 1 of SB 34 adds the definitions of "fully shielded" and "lumen" to Section 74-12-3 NMSA 1978. "Fully shielded" means a fixture that is shielded in such a manner that no more than five percent of the total light emitted, either directly or indirectly, is at or above ten degrees below a horizontal plane running through the lowest point on the fixture where light is emitted. "Lumen" means an international standard of measurement that quantifies the amount of light emitted by a light source.

Section 2 amends the exception for outdoor lighting fixtures to "except for strings of small lights or temporary holiday lighting, an outdoor lighting fixture installed after July 1, 2025 that is mounted more than four feet above the ground shall be fully shielded and installed and maintained in accordance with the manufacturer's specifications and instructions for use." SB 34 strikes "all outdoor lighting fixtures installed after January 1, 2000 shall be shielded, except incandescent fixtures of one hundred fifty watts or less and other sources of seventy watts or less" and adds the requirement that outdoor lighting fixtures shall not be directed toward the sky if mounted less than four feet above the ground and emits more than one thousand lumens.

Section 3 strikes subsection A from Section 74-12-5 NMSA 1978.

Section 4 of SB 34 changes the exemption for outdoor lighting fixtures from advertisements to "roadway navigation and safety" and subjects existing outdoor lighting fixtures installed prior to July 1, 2025, to the requirements of the Act when they are replaced. Section 4 further amends the exception for outdoor lighting fixtures "that are necessary for worker safety" to apply to fixtures at "farms, ranches, dairies, feedlots or industrial, mining or oil and gas facilities installed prior to January 1, 2027." SB 34 also creates exemptions for outdoor digital or electronic billboards and temporary outdoor lighting fixtures that are necessary for construction, emergency services or film or television production.

Section 5 would repeal Section 74-12-2 NMSA 1978.

FISCAL IMPLICATIONS

None.

SIGNIFICANT ISSUES

SB 34 amends the Night Sky Protection Act to impose stricter lighting regulations which could affect communities in poorly lit rural or urban areas where adequate lighting is critical for public safety and accessibility. This could pose challenges for local governments and businesses tasked with enforcing compliance, leading to the requirement of additional resources.

Additionally, SB 34 amends outdoor lighting fixture exemptions for worker safety to specify certain groups and industries, which could lead to ambiguous or inconsistent enforcement.
SB 34 would not have a direct impact on the New Mexico Tourism Department.
PERFORMANCE IMPLICATIONS
None.
ADMINISTRATIVE IMPLICATIONS
None.
CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP
None.
TECHNICAL ISSUES
None.
OTHER SUBSTANTIVE ISSUES
None.
ALTERNATIVES
None.
WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL
Status Quo.
AMENDMENTS
None.