



LFC Requester: Liu

**PUBLIC EDUCATION DEPARTMENT
BILL ANALYSIS
2025 REGULAR SESSION**

SECTION I: GENERAL INFORMATION

Check all that apply:

Original Amendment
Correction Substitute

Date Prepared: 01/22 /25

Bill No: HB85

Agency Name and Code: PED - 924

Sponsor: Cates/Ferrary

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PROHIBITING

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Short NONFUNCTIONAL TURF

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Title: INSTALLATION

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SECTION II: FISCAL IMPACT

(Parenthesis () Indicate Expenditure Decreases)

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
None	None	N/A	NFA

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
None	None	None	N/A	NFA

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	None	None	None	None	N/A	NFA

Duplicates/Relates to Appropriation in the General Appropriation Act: N/A

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: House Bill 85 (HB85) would address issues of demand for limited supplies of water by restricting non-functional turf at state-owned and state-funded properties, including those of public schools and educational institutions that are state-owned or fit the bill's definition of state-funded. Specifically, the bill would:

- prohibit the installation of nonfunctional turf on state-owned or state-funded properties starting January 1, 2027;
- require that nonfunctional turf removed from state-owned or state-funded properties be replaced with drought- and climate-resilient landscaping beginning January 1, 2032; and
- restrict the use of water, other than recycled or reclaimed water, for irrigating nonfunctional turf on these properties beginning January 1, 2032.

The bill does not provide an effective date. Laws go into effect 90 days after the adjournment of the Legislature enacting them unless a later date is specified. If enacted, this bill would become effective June 20, 2025.

FISCAL IMPLICATIONS

HB85 does not contain an appropriation.

The cost to school districts and charter schools to meet the future requirements of HB85 are unknown but are projected to be minimal. Beginning in 2032, if nonfunctional turf is removed from school properties, it would be required to be replaced with water conserving landscaping, and remaining nonfunctional turf would require conversion of irrigation systems from potable to recycled or reclaimed water sources.

SIGNIFICANT ISSUES

HB85 defines nonfunctional turf as “irrigated turf grass that has no recreational purpose or that is primarily decorative and includes turf in or around medians, roundabouts, parking lots, landscape strips between the sidewalk and the street, commercial properties and industrial properties.”

Public schools are generally owned by the local school district or charter school rather than the state. Under HB85, it is unclear whether public schools would qualify as "state-funded properties" because, while their construction, maintenance, and improvements often depend on state funding exceeding 40 percent, the bill defines state-funded property as that which the state provided at least 40 percent of the funding for *purchase*. It is unclear if that 40 percent threshold also applies to maintenance, construction, and improvement costs. Under the provisions of the bill:

- Public schools would need to comply with restrictions on installing nonfunctional turf after January 1, 2027.
- If any nonfunctional turf exists school property, it might only be irrigated using recycled or reclaimed water; and
- If removed, nonfunctional turf must be replaced with drought- and climate-resilient landscaping.

Although public green spaces, including turf areas, may contribute to psychological well-being, preserving water resources ensures better long-term public health by maintaining reliable access to drinking water and reducing the strain on water infrastructure.

Restrictions on the use of turf to promote water conservation are common in Southwestern cities and states. Albuquerque's city code, for example, limits high-water-use turf, prohibits private restrictive covenants from contradicting these municipal restrictions, and provides for enforcement and penalties for violation.

HB85 would only affect the installation, irrigation, or replacement of nonfunctional turf for state-funded and state-owned properties and as such it does not specify an enforcement mechanism.

Positive education impacts:

- Drought-tolerant landscaping can serve as an educational tool, teaching students about sustainable practices, local ecosystems, and water conservation.
- Cost-savings from reduced irrigation and maintenance could be redirected to educational programs or facility improvements.

Positive quality of life impacts:

- Lower water usage and maintenance costs from removing nonfunctional turf benefit public budgets and, indirectly, taxpayers.
- Improved water security supports the broader community, enhancing overall quality of life.
- Well designed xeriscaping and climate-resilient landscaping can be attractive, fostering community pride and enjoyment.

Potential quality of life concerns:

- Many people may associate green lawns with beauty and livability. Replacing them with drought-tolerant landscaping could face resistance if alternatives are perceived as less appealing.

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

None.

AMENDMENTS

The sponsor may wish to clarify that “state property” as defined by the bill includes property for which the state provides at least 40 percent of funds for maintenance, construction, and improvement, and not merely the initial purchase. The sponsor may also wish to clarify whether the provisions of the bill are meant to apply to state institutions whose land was originally endowed by the state.