

<b>LFC Requester:</b>	<b>Hilla</b>
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**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**

**[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto:billanalysis@dfa.nm.gov)**

*(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:** 1/31/25 *Check all that apply:*  
**Bill Number:** HB 228 Original  Correction   
 Amendment  Substitute

**Sponsor:** Serrato **Agency Name and Code:** Municipal League (ML)  
**Short Title:** Local Restrictions on Certain Fences **Number:** \_\_\_\_\_  
**Person Writing:** Jacob Rowberry  
**Phone:** 505-992-3538 **Email:** jrowberry@nmml.org

**SECTION II: FISCAL IMPACT**

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	<b>FY25</b>	<b>FY26</b>	<b>FY27</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>		Minimal	Minimal	Minimal	Recurring	Municipalities

(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:

House Bill 228 limits county and municipal restrictions on certain battery-charged fences with alarm systems located outside of areas zoned exclusively for residential use.

**FISCAL IMPLICATIONS**

The fiscal impact to municipalities would likely be minimal. Municipalities may incur some limited additional costs to administer the provisions of HB228.

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be

reported in this section.

### **SIGNIFICANT ISSUES**

HB228 infringes on local permitting and zoning decisions. Permitting and zoning decisions should remain at the local level, given the significant differences in residential and commercial markets, needs, and local approaches across the state. Municipalities currently enact ordinances and have local planning and zoning boards to manage local needs pertaining to battery-charged fences. These decisions are most appropriately left to individual local governments.

### **PERFORMANCE IMPLICATIONS**

### **ADMINISTRATIVE IMPLICATIONS**

### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

### **TECHNICAL ISSUES**

### **OTHER SUBSTANTIVE ISSUES**

### **ALTERNATIVES**

### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

### **AMENDMENTS**