

LFC Requester:	Jeannae Leger
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AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

AgencyAnalysis.nmlegis.gov and email to 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: 2/12/25 *Check all that apply:*
Bill Number: HB 358 Original Correction
 Amendment Substitute

Sponsor: Rep. Randall T. Pettigrew **Agency Name and Code** 430 – Public Regulation
Short Interim Admin. Rules **Number:** Commission
Title: Oversight Committee **Person Writing** Scott Cameron
Phone: (505)490-2696 **Email** jerri.mares@prc.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
	\$2,000.	Nonrecurring	General Fund

(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

BILL SUMMARY

Synopsis:

In Sections 1-4 the Bill seeks to add a new section to the Legislative section of the NMSA to create a new rules oversight committee, including the composition of the committee, its duties and powers, how it will be staffed, and rule review procedures.

Section 5 of the Bill would amend the State Rules Act to add cost estimates in the form of a fiscal impact statement to a notice of rulemaking.

Section 6 of the Bill would add a new section to the State Rules Act that describes what the new fiscal impact statement would include.

Section 7 of the Bill makes an appropriation to the Legislative Council Service to staff the new committee.

Section 8 of the Bill makes it effective on July 1, 2025.

FISCAL IMPLICATIONS

Section 5's requirement for an estimate of the cost of implementing a proposed rule imposes a new requirement on PRC rulemaking, which will carry correlated administrative and staff costs.

SIGNIFICANT ISSUES

Section 1's requirement for recommendations to be made could delay or significantly impair rulemaking if HB 358 intends for agencies to consider these recommendations, depending on the deadline for this recommendation. Depending on the committee's meeting schedule, it could significantly delay agency rulemaking, which is already a lengthy process,

Based on the definition provided in Section 6(A), the cost of implementing the proposed rule will be difficult to estimate with any precision. Specifically, fiscal impacts on *other* entities will be difficult, if not impossible, to estimate. If this is the intent of the legislation, it should provide specific instructions and criteria for how to calculate these costs.

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

Adhering to the requirements of HB 358 when rulemaking will likely increase costs to the agency, as well as time needed to accomplish rulemaking.

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