

<b>LFC Requester:</b>	<b>Emily Hilla</b>
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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:** March 1, 2025 *Check all that apply:*  
**Bill Number:** HB 508 Original  Correction   
 Amendment  Substitute

**Sponsor:** Randall T. Pettigrew **Agency Name and Code** Regulation and Licensing Department - 420  
**Short Title:** Rule Change Public Comment Period **Number:** \_\_\_\_\_  
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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
N/A	N/A	N/A	N/A

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
N/A	N/A	N/A	N/A	N/A

(Parenthesis ( ) indicate revenue decreases)

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

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	N/A	Minimal	Minimal	Minimal	N/A	Numerous*

(Parenthesis ( ) Indicate Expenditure Decreases)

\*This would depend upon which division of the Regulation and Licensing Department, or administratively attached board or commission, is proposing the administrative rule.

Duplicates/Conflicts with/Companion to/Relates to:

Duplicates/Relates to Appropriation in the General Appropriation Act

### **SECTION III: NARRATIVE**

#### **BILL SUMMARY** House Bill 508 (HB508)

Synopsis: HB508 amends the State Rules Act, §§14-4-1 to -11, NMSA 1978, to add “substantial change” to the definitions section. HB508 also adds a new section to the State Rules Act so that if an Agency makes a substantial change to the proposed rule, the Agency must provide an additional twenty-one (21) day public comment period on the changes made to the proposed rule.

Notice of the substantial change to the proposed rule must be published in the New Mexico Register. The published notice must include the full text of the proposed change, citation to any technical information relied upon as basis for the change, information on how and within what timeframe a person may submit commentary regarding the proposed change, and other information as listed in Section 2 of HB508. The agency that has proposed the rulemaking is not required to conduct another public rule hearing on the matter.

#### **FISCAL IMPLICATIONS**

If HB508 is enacted it is anticipated there will be a fiscal impact on the Regulation and Licensing Department (RLD) as well as on the twenty-eight (28) boards and commissions administratively attached to the RLD. The anticipated fiscal impact(s) are primarily related to the costs associated with the publication of additional notices in the New Mexico Register any time the RLD or any of the administratively attached boards or commissions makes a “substantial change” to a proposed administrative rule. While the costs associated with a single notice publication in the Register are relatively minor, if there are multiple changes made to proposed rules within a single year, such costs could become substantial. At this time the RLD anticipates the increased costs for publication fees will be minimal in a given year, but only time will tell.

#### **SIGNIFICANT ISSUES**

#### **PERFORMANCE IMPLICATIONS**

Adding additional time for public comment has the potential to significantly extend the amount of time necessary for a state agency or authority to complete an administrative rulemaking process. Delays in the implementation of rules may create operational difficulties for impacted agencies, industries and individuals. Of particular concern is the lack of any mention in HB508 regarding extended public comment in light of the emergency rulemaking process under the State Rules Act and whether there will be any exception to the extended public comment process for rules necessary to deal with emergency situations.

#### **ADMINISTRATIVE IMPLICATIONS**

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

*See* also 2025 House Joint Resolution 19 (HJR19), House Bill 358 and House Bill 425. HJR19 proposes to amend Article 4 of the Constitution of New Mexico to add a new section for the interim administrative rule oversight committee to be establish. If HJR 19 and HB508 are both adopted and implemented, there is a concern about additional substantial delays being built into an already comprehensive process.

**TECHNICAL ISSUES**

**OTHER SUBSTANTIVE ISSUES**

**ALTERNATIVES**

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

**AMENDMENTS**