

LFC Requester:

Emily Hilla

**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

[AgencyAnalysis.nmlegis.gov](https://www.nmlegis.gov/AgencyAnalysis) 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: 2/24/25

Check all that apply:

Bill Number: HJR19Original  Correction Amendment  Substitute Sponsor: Rep. Pettigrew

Short CA: Administrative Rule

Title: Oversight Committee

Agency Name

and Code HCA 630

Number:

Person Writing Mark ReynoldsPhone: 505-531-7790 Email mark.reynolds@hca.n**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
\$0	\$0	NA	NA

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
\$0	\$0	\$0	NA	NA

(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>	NA	NA	NA	-	-	-

(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:

Proposes to amend Article 4 of the state Constitution to establish a permanent interim administrative rule oversight committee to review proposed executive agency rules, make recommendations to the proposing agency, recommend to the legislature changes to the authorizing statutes of a rule to clarify legislative intent and recommend to the legislature to overturn an agency rule if it does not comply with the authorizing law.

The interim administrative rule oversight committee would consist of 12 members with the majority and minority floor leaders of each house appointing three members. The position of chair would alternate between both the house and the senate and the two largest political parties. The new committee would meet one time per month during the interim. The committee (presumably with the staff it directs) would analyze proposed rules and their fiscal impact at least two weeks prior to the public rule hearing, except when the Legislature is in session.

#### **FISCAL IMPLICATIONS**

None

#### **SIGNIFICANT ISSUES**

Currently, nothing prohibits a legislative committee (or anyone) from commenting on a proposed rule under the State Rules Act. Also, nothing prevents an enacted rule from being challenged in court for being outside the scope of the authorizing statute.

The process described in the proposed constitutional amendment would have to occur within the timeframes and follow the process set forth in the State Rules Act.

The resolution does not account for emergency rulemaking. It is unknown how the constitutional amendment would interact with the emergency rulemaking process.

#### **PERFORMANCE IMPLICATIONS**

The process described in the proposed constitutional amendment may result in delays currently outlined in the State Rules Act.

#### **ADMINISTRATIVE IMPLICATIONS**

No IT impact.

#### **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**