

<b>LFC Requester:</b>	Austin Davidson
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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:** 1/29/25 *Check all that apply:*  
**Bill Number:** SB 33 Original  Correction   
 Amendment  Substitute

<p><b>Sponsor:</b> <u>Elizabeth "Liz" Stefanics, Harlan Vincent, Kristina Ortez, Anita Gonzales</u></p> <p><b>Short Title:</b> <u>Wildfire Prepared Act</u></p>	<p><b>Agency Name and Code Number:</b> <u>New Mexico Department of Homeland Security and Emergency Management- 79500</u></p> <p><b>Person Writing:</b> <u>Matthew Stackpole</u></p> <p><b>Phone:</b> <u>505-699-5807</u> <b>Email:</b> <u><a href="mailto:Matthew.stackpole@dhsem.nm.gov">Matthew.stackpole@dhsem.nm.gov</a></u></p>
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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
20,000.00	-	Nonrecurring	General Fund

(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>	\$10,000	Remaining Balance	Remaining Balance	\$10,000	Nonrecurring	Wildfire Prepared Fund

(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: SB 33 will amend the Fire Planning Task Force to now be encompassed in a newly created “Wildfire Prepared Program,” within the Energy, Minerals, and Natural Resources Department (EMNRD). SB 33 also amends the current Task Force from twelve members to sixteen members, adding a representative from the Office of the Superintendent of Insurance, a representative from the Homeland Security and Emergency Management Department, a “member with expertise in wildfire science and structures, appointed by the state forester,” and “a representative of a state-based property insurance carrier trade association, appointed by the state forester, after consulting with the office of the superintendent of insurance.” SB 33 also removes some provisions from current members, such as the representative of the U.S. Forest Service is no longer a Governor’s appointment, the Regulation and Licensing Department no longer specifically assigns the director as a member, and instead simply selects a “representative,” and likewise, the state forester is replaced with only needing to assign a “representative of the division.”

SB 33 also assigns additional duties to the Task Force, including considering the benefits of, “making the five-foot zone closest to [a house] and surrounding structures noncombustible,” as well as, “develop wildfire preparedness standards for certification that are consistent with and no less stringent than the most recent standards developed by a nationally recognized wildfire prepared standard-setting organization, such as the insurance institute for business and home safety;” and lastly, “develop by June 30 of each year guidelines and requirements for eligibility for grants consistent with the provisions of and provided through the wildfire prepared program...”

SB 33 requires the Wildfire Prepared Program to “make structures and properties in New Mexico wildfire prepared.” It also requires EMNRD to provide technical assistance and training, conduct assessments, provide certification and award grants to political subdivisions of the State to aid in wildfire prevention and make primary residences wildfire prepared.

To aid in this effort, SB 33 creates the “Wildfire Prepared Fund,” as a nonreverting fund for EMNRD to administer, with \$20,000,000.00 appropriated from the General Fund for expenditure in FY 25 and subsequent fiscal years for administration of the program.

SB 33 does have an emergency clause causing it to be effective immediately once signed into law.

#### **FISCAL IMPLICATIONS**

DFA has noted that the grant funding prescriptions as laid out in SB 33 may not correlate to available grant timelines.

#### **SIGNIFICANT ISSUES**

See above.

**PERFORMANCE IMPLICATIONS**

DHSEM is unaware of any performance implications of SB 33.

**ADMINISTRATIVE IMPLICATIONS**

DHSEM is unaware of any administrative implications of SB 33.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

NA

**TECHNICAL ISSUES**

DHSEM is unaware of any technical issues of SB 33.

**OTHER SUBSTANTIVE ISSUES**

NA

**ALTERNATIVES**

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

The status quo.

**AMENDMENTS**