

LFC Requester:	Simon
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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: 1/28/2025 *Check all that apply:*
Bill Number: SB 34 Original Correction
 Amendment Substitute

Sponsor: Stefanics, McQueen, Chandler, and Wirth **Agency Name and Code** General Services Department 350
Short Title: Night Sky Protection Act **Person Writing** Peter Barrington
Protection Act **Phone:** 505-629-8936 **Email** Peter.Barrington@gsd.nm.us

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
Total	N/A	N/A	N/A	N/A	N/A	N/A

(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:

Senate Bill 34 amends the Night Sky Protection Act; revising the requirements for shielding outdoor light fixtures; adding exemptions for roadway navigation and safety signs on interstates and federal primary highways and temporary outdoor light fixtures necessary for construction, emergency services or film or television production; removing the exemption for outdoor light fixtures with automatic shut-off devices and certain types of advertisement signs; repealing section 74-12-2 NMSA 1978 (being laws 1999, Chapter 197, Section 2).

The bill also exempts existing outdoor lighting fixtures installed prior to July 1, 2025. When existing lighting fixtures are replaced, their replacements are subject to the provisions of the Night Sky Protection Act.

FISCAL IMPLICATIONS

The bill requires removing the exemption for outdoor light fixtures with automatic shut-off devices, which will likely result in the need for capital outlay to conduct an assessment and retrofit of the more than 800 state facilities managed by the Facilities Management Division when fixtures need replacement. Additionally, removing the exemption for outdoor light fixtures will also have increased fiscal implications on parking lot light fixtures, campus, and sidewalk lighting.

SIGNIFICANT ISSUES

While this Act strengthens night sky preservation efforts, it introduces economic, regulatory, and safety considerations that must be carefully managed.

PERFORMANCE IMPLICATIONS

Additional upfront costs or premium costs are associated with contractors and designers familiar with night sky requirements and implementation of energy-efficient lighting, such as LED fixtures with proper shielding, aligns with statewide energy conservation goals.

ADMINISTRATIVE IMPLICATIONS

The implementation of night sky requirements and standards will have significant administrative implications that impact the internal operations, governance, and resource management within GSD/FMD. These implications include assessing existing conditions to determine both the implementation of new lighting standards and the retrofitting of fixtures throughout GSD/FMD buildings, campuses, and assets statewide when replacements are needed. Additionally, it will likely be necessary to consider the hiring of architects, engineers, and energy consultants with expertise in night sky requirements and standards.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

TECHNICAL ISSUES

Retrofitting older fixtures to meet night sky requirements and standards can be costly and difficult to implement in older, historically significant buildings and may be cost prohibitive.

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Failing to enact or implement night sky requirements and standards will result in greater levels of light pollution.

AMENDMENTS - N/A