

LFC Requester:	Joseph Simon
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**AGENCY BILL ANALYSIS
2025 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

Analysis.nmlegis.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}

Check all that apply:

Original **Amendment**
Correction **Substitute**

Date January 29, 2025
Bill No: SB 34

Sponsor: Sens. Stefanics and Wirth and Reqs. McQueen and Chandler **Agency Name and Code** Regulation and Licensing Department-420
Short Title: Outdoor Light Requirements & Exemptions **Person Writing** Lori Chavez
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
None	None	None	None

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
None	None	None	None	None

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	None	None	None	None	None	None

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: n/a
Duplicates/Relates to Appropriation in the General Appropriation Act: n/a

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: Senate Bill 34 (SB34)

SB34 amends the Night Sky Protection Act by (1) repealing the stated purpose of the act to “preserve and enhance the state’s dark sky while promoting safety, conserving energy and preserving the environment for astronomy”; (2) reducing the width light may emit by 5%; (3) replacing the term “wattage” as the measure of light with “lumen” because lumen measures light emitted rather than energy usage; (4) requiring outdoor lighting fixtures mounted more than four feet above the ground to be fully shielded, installed and maintained in accordance with manufacturer’s specifications while prohibiting lights being mounted less than four feet above the ground to emit more than 1,000 lumens and that light may not be directed toward the sky.

SB34 removes as exceptions from the Act (1) lights with automatic shutoff; (2) lights located on farms, ranches, dairies, feedlots or industrial, mining or oil and gas facilities after January 1, 2027; and (3) traditional billboards.

SB34 includes exemptions from the Act for lights used for (1) roadway navigation and safety signs on interstate and federal primary highways; (2) navigational lighting systems and airports and other lighting necessary for aircraft safety; (3) outdoor digital or electronic billboards; (4) temporary outdoor lighting fixtures necessary for construction, emergency services of film or television production; and (5) holiday lighting.

SB34 permits legally installed light fixtures existing prior to July 1, 2025, to be used until the lighting fixture is replaced.

SB34 allows counties and municipalities to adopt, by ordinance or resolution, more restrictive lighting pollution provisions.

FISCAL IMPLICATIONS

There is no direct fiscal impact anticipated for the Regulation and Licensing Department if SB34 is enacted.

SIGNIFICANT ISSUES

SB34 removes any consideration of safety when weighing exceptions to the Act and specifically removes farms, ranches, dairies, feedlots or industrial, mining or oil and gas facilities as an exception under the Act effective on January 1, 2027. Farms, ranches, dairies, feedlots or industrial, mining or oil and gas facilities tend to operate in more isolated parts of the state and require lighting for worker safety. As a result of removing these facilities as an exception under the Act, these facilities may increase the total number of light fixtures they utilize as necessary to ensure sufficient lighting for worker safety. The use of additional light fixtures may result in an overall greater power usage for the facilities. Additional light fixtures utilized would involve increased costs to the facilities for the purchase and installation of equipment/fixtures as well as increased power costs.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS