

**LFC Requester:****Hilla****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:** 2/5/25 *Check all that apply:*  
**Bill Number:** SB 51 Original  Correction   
 Amendment  Substitute

**Sponsor:** Sen. Brantley,  
Rep.Terrazas, and Sen.  
Ramos **Agency Name  
and Code  
Number:** NM DoIT - 361  
**Person Writing  
Analysis:** Michael Rohrbacher  
**Short Title:** Southern NM  
Communication  
Infrastructure **Phone:** 505-316-  
5040 **Email:** Michael.rohrbacher@do  
it.nm.gov

**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(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>						

(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 51 (SB 51) would appropriate Three million dollars (\$3,000,000) from the general fund to the local government division of the department of finance and administration for expenditure in fiscal year 2026 for communication infrastructure, including cellular telephone and radio towers, for Dona Ana, Hidalgo and Luna counties. Any unexpended or unencumbered balance remaining at the end of fiscal year 2026 would revert to the general fund.

#### **FISCAL IMPLICATIONS**

No impact to DoIT, but it could have a positive fiscal impact if DoIT is allowed access to the towers for public safety communications equipment (NM-DTRS radio system).

#### **SIGNIFICANT ISSUES**

Although the bill states that funding is to go to the local government division of DFA, there is no detail on how the money will be spent. The majority is the funding is slated to go towards cellular tower build out in the area for the benefit of the public. This can only be done by a private company (Verizon, ATT, T-Mobile...). This would be a violation of the anti-donation clause. Alternatively, DFA may give the money to the Counties to build out the towers and own them, and the Counties would lease space back to the carriers. If that is the case, then as state funded towers, DOIT would also benefit from having access to the towers to install public safety communications equipment (NM-DTRS radio system).

There is not enough detail in the bill to explain how the funding will be used. If the end result is a state-owned tower(s) (or a county owned tower funded by the state), DoIT would ask for language to be added to the legislation allowing DoIT to have access to the tower(s) for the NM-DTRS radio system.

#### **PERFORMANCE IMPLICATIONS**

#### **ADMINISTRATIVE IMPLICATIONS**

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

#### **TECHNICAL ISSUES**

#### **OTHER SUBSTANTIVE ISSUES**

Regarding the public safety radio communications portion only: DoIT is planning to expand the NM-DTRS radio system along the Mexican border, including Highway 9. DoIT has funding for

this initiative, and it is expected that build-outs will occur within two years. If Luna County decides to join this system, they would benefit from this coverage, as well as state-wide coverage.

## **ALTERNATIVES**

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

## **AMENDMENTS**

Add a provision to the bill that would allow DoIT to have access to any towers built using this state money, for the installation and operation of public safety communications equipment (NM-DTRS radio system).