

LFC Requester:

Anne Hanika-Ortiz

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: 02/21/25

Check all that apply:

Bill Number: SB56/s

Original Correction
Amendment Substitute

Sponsor: Sen. Pat Woods

Agency Name and Code Number: 305 – New Mexico Department of Justice

Person Writing

Short Title: Livestock Info During Epidemic

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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
Total						

(Parenthesis () Indicate Expenditure Decreases)

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

SECTION III: NARRATIVE

This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator’s request. The analysis does not represent any official policy or legal position of the NM Department of Justice.

BILL SUMMARY

Synopsis: Senate Conversation Committee Substitute for Bill 56 (“SB56”) seeks to add a new section to the “Livestock Code,” NMSA 1978, Section 77-3-1 to -18 (the “Code”), to restrict access to certain information during investigations and responses to animal health events. The committee substitute has amended Subsection A and Subsection E and removed several subsections from the original bill.

Subsection A of the committee substitute proposes that when the board or any of its authorized representatives determine that a disease or event affecting livestock has a significant economic impact or is zoonotic, fatal, or highly injurious, the board or any of its authorized representatives shall restrict access to information regarding persons or animals if the restriction would encourage producer participation in quickly identifying, isolating, and controlling a disease or condition affecting the health of livestock and security of the food supply. The following information may be restricted:

- Ownership;
- Numbers, locations, movements of livestock;
- Financial information;
- Purchase and sale of livestock;
- Account number or unique identifiers issued by government or private entities;
- Operational protocols; and
- Records obtained from private veterinarians that are considered confidential.

Subsection B establishes that the section does not grant the board, or any of its authorized representatives, to obtain information beyond what is permitted by law. This subsection was not changed with the committee substitute—the substitution’s Subsection B was in the original bill as Subsection D.

Subsection C (modified from the original bill’s Subsection E) of the committee substitute proposes the section shall not:

- Paragraph 1: Preclude a person in interest from accessing their own information; or
- Paragraph 2: Prevent the release of information to state or federal agencies involved in response to livestock disease or animal health events.

FISCAL IMPLICATIONS

N/A

SIGNIFICANT ISSUES

The previous NMDOJ FIR highlighted the vagueness of the use of certain terms in Subsection A. The amendments in the committee substitute may have potentially eliminated that issue. However, in the committee substitute, Subsection A does not specifically indicate how the board or any of its authorized representatives determine when a disease or event affecting livestock would lead to the restriction of public information. Given the bill's title, it appears the determination arises from an investigation by the board of any of its authorized representatives.

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

Nothing in this bill specifically conflicts with IPRA, but the bill would create an exception to public disclosure "as otherwise provided by law." NMSA 1978, § 14-2-1(L).

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

None.