

LFC Requestor: HILLA, Emily

2025 LEGISLATIVE SESSION  
AGENCY BILL ANALYSIS

Section I: General

Chamber: Senate

Category: Bill

Number: 254

Type: Introduced

Date (of THIS analysis): 02/04/2025

Sponsor(s): Michael Padilla

Short Title: CYBERSECURITY ACT

Reviewing Agency: Agency 665 - Department of Health

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Section II: Fiscal Impact

APPROPRIATION (dollars in thousands)

Appropriation Contained		Recurring or Nonrecurring	Fund Affected
FY 25	FY 26		
\$0	\$0	N/A	N/A

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY 25	FY 26	FY 27		
\$0	\$0	\$0	N/A	N/A

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY 25	FY 26	FY 27	3 Year Total Cost	Recurring or Non-recurring	Fund Affected
Total	\$0	\$0	\$0	\$0	N/A	N/A

### Section III: Relationship to other legislation

Duplicates: None

Conflicts with: None

Companion to: None

Relates to: None

Duplicates/Relates to an Appropriation in the General Appropriation Act: None

### Section IV: Narrative

#### 1. BILL SUMMARY

##### a) Synopsis

Senate Bill 254 (SB254) would amend the Cybersecurity Act by changing the name of the Cybersecurity Office to the Office of Cybersecurity. SB254 would also change the membership of the Cybersecurity Advisory Committee.

Is this an amendment or substitution?  Yes  No

Is there an emergency clause?  Yes  No

##### b) Significant Issues

SB254 proposes to amend the Cybersecurity Act by changing the name of the Cybersecurity Office to the Office of Cybersecurity. SB254 would also change the membership of the Cybersecurity Advisory Committee as follows:

- Replacing “the principal information technology staff person for the administrative office of the courts or the director’s designee” with “one member appointed by the chief justice of the supreme court who is experienced with cybersecurity issues”
- Replacing “the director of the legislative council service or the director’s designee” with “a member of the legislature appointed by the New Mexico legislative council who is familiar with cybersecurity issues”
- Reducing the number of members appointed by the chair of the board of directors of the New Mexico association of counties from three to two
- Reducing the number of members appointed by the chair of the board of directors of the New Mexico municipal league from three to two
- Increasing the number of members appointed by the governor from three to four
- Specifying the types of members the governor must appoint; educator or from an educational institution, health care provider or employed by a health care provider,

employed by the homeland security and emergency management department, and a private sector cybersecurity expert or employed by a business offering cyber security services

## 2. PERFORMANCE IMPLICATIONS

- Does this bill impact the current delivery of NMDOH services or operations?  
 Yes  No
- Is this proposal related to the NMDOH Strategic Plan?  Yes  No
  - Goal 1:** We expand equitable access to services for all New Mexicans
  - Goal 2:** We ensure safety in New Mexico healthcare environments
  - Goal 3:** We improve health status for all New Mexicans
  - Goal 4:** We support each other by promoting an environment of mutual respect, trust, open communication, and needed resources for staff to serve New Mexicans and to grow and reach their professional goals

## 3. FISCAL IMPLICATIONS

- If there is an appropriation, is it included in the Executive Budget Request?  
 Yes  No  N/A
- If there is an appropriation, is it included in the LFC Budget Request?  
 Yes  No  N/A
- Does this bill have a fiscal impact on NMDOH?  Yes  No

## 4. ADMINISTRATIVE IMPLICATIONS

Will this bill have an administrative impact on NMDOH?  Yes  No

## 5. DUPLICATION, CONFLICT, COMPANIONSHIP OR RELATIONSHIP

None

## 6. TECHNICAL ISSUES

Are there technical issues with the bill?  Yes  No

Section 1.B.(1) should read: adopt and implement rules establishing minimum security standards and policies to protect agency information technology systems and infrastructure and provide appropriate governance and application of the standards and policies across information technology resources used by agencies to promote the availability, security, **confidentiality** and integrity of the information processed, **transmitted** or stored by agencies in the state's information technology infrastructure and systems;

## 7. LEGAL/REGULATORY ISSUES (OTHER SUBSTANTIVE ISSUES)

- Will administrative rules need to be updated or new rules written?  Yes  No

- Have there been changes in federal/state/local laws and regulations that make this legislation necessary (or unnecessary)?  Yes  No
- Does this bill conflict with federal grant requirements or associated regulations?  
 Yes  No
- Are there any legal problems or conflicts with existing laws, regulations, policies, or programs?  Yes  No

**8. DISPARITIES ISSUES**

None

**9. HEALTH IMPACT(S)**

None

**10. ALTERNATIVES**

None

**11. WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?**

If this bill is not enacted, the current name of the Cybersecurity Office and duties will stay the same and the membership of the Cybersecurity Advisory Committee will not be altered.

**12. AMENDMENTS**

Page 6: Section 2.B.7.d a private sector cybersecurity expert or employed by a business offering cybersecurity services that will not transact cybersecurity business with state agencies.