

LFC Requester:	Emily Hilla
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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: 2.20.25 *Check all that apply:*
Bill Number: SB 254 Original Correction
 Amendment Substitute

Sponsor: Michael Padilla **Agency Name and Code:** New Mexico Department of Homeland Security and Emergency Management-79500
Short Title: Cybersecurity Act & Office Changes **Person Writing:** Matthew Stackpole
Title: Changes **Phone:** 505-699-5807 **Email:** Matthew.stackpole@d

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
\$0	\$0	NA	NA

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
\$0	\$0	\$0	NA	NA

(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	\$0	\$0	\$0	\$0	NA	NA

(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 Rules Committee Substitute for Senate Bill 254

The SRC Substitute for SB 254 makes minor edits to the definitions in the Cybersecurity Act (adding the word “systems,” where relevant) and defines a "state-operated or state-owned telecommunications network;" a term already in the original bill and unchanged in the Committee substitute.

Of greater significance, the SRC Committee Substitute changes Section 3(B)(7) to modify the Governor appointee criteria, which in the Original SB 254 required that at least one of the four members to be a representative from each of the following sectors: education, healthcare, the Department of Homeland Security and Emergency Management, and the private sector with cybersecurity expertise. Both the previous FIR and Committee discussion addressed that the criteria were likely intended as separate rather than requiring all of a single member. That said, those criteria have been removed and now states that the Governor appoint the four members, “in consultation with the secretary of information technology and the state chief information security officer,” and that the members shall enable the committee to, “satisfy any federal or state cybersecurity grant funding requirement.”

Original

Senate Bill 254 renames the existing Cybersecurity Office as the Office of Cybersecurity and makes some minor clarifications to its existing responsibilities in overseeing cybersecurity-related functions for state agencies. The bill specifies that the Office must develop minimum cybersecurity controls for managing and protecting information technology assets for all entities connected to a state-operated or state-owned telecommunications network.

A main provision of the bill is the restructuring of the Cybersecurity Advisory Committee. The legislation revises the membership to incorporate representatives from additional branches of government and sectors. Notable changes include the addition of one member appointed by the Chief Justice of the New Mexico Supreme Court who has cybersecurity expertise, a legislator appointed by the New Mexico Legislative Council, and a reduction in the number of representatives appointed by the New Mexico Association of Counties and the New Mexico Municipal League from three members to two. The bill also increases the number of governor-appointed members from three to four, requiring that at least one representative be from each of the following sectors: education, healthcare, the Department of Homeland Security and Emergency Management, and the private sector with cybersecurity expertise.

FISCAL IMPLICATIONS

Senate Rules Committee Substitute for Senate Bill 254

Does not appear to present any additional fiscal implication.

Original

The fiscal impact of Senate Bill 254 is undetermined at this time. The bill does not appropriate

new funds but requires the Office of Cybersecurity to further define and implement minimum cybersecurity controls, which may necessitate additional administrative resources. The restructuring of the Cybersecurity Advisory Committee does not introduce direct costs but could result in additional administrative work in managing appointments and coordinating expanded responsibilities.

SIGNIFICANT ISSUES

Senate Rules Committee Substitute for Senate Bill 254

The changes in the Substitute appear to improve the bill and give better guidance and autonomy to the Governor's Office.

Original

The restructuring of the Cybersecurity Advisory Committee is a major revision. The addition of a Supreme Court-appointed member introduces judicial expertise in cybersecurity-related legal and regulatory matters. The inclusion of a legislator appointed by the Legislative Council ensures direct legislative involvement in cybersecurity policy. Expanding the number of governor-appointed members to four and requiring representation from education, healthcare, emergency management, and private-sector cybersecurity ensures that the committee benefits from a broader range of expertise in addressing cyber threats across different sectors.

PERFORMANCE IMPLICATIONS

Senate Rules Committee Substitute for Senate Bill 254

The changes in the Substitute appear to provide better clarity and autonomy to the Governor's Office.

Original

The new advisory committee structure allows for greater coordination between state agencies, local governments, and key industries, which should lead to more informed policy decisions.

ADMINISTRATIVE IMPLICATIONS

DHSEM is not aware of the administrative implications of SB 254.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

NA

TECHNICAL ISSUES

Senate Rules Committee Substitute for Senate Bill 254

Please see above.

Original

No major technical issues have been identified.

OTHER SUBSTANTIVE ISSUES

NA

ALTERNATIVES

NA

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The current structure of the Cybersecurity Advisory Committee will remain unchanged.

AMENDMENTS