

LFC Requester: _____

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: _____ *Check all that apply:*
Bill Number: SB 287 Original Correction
 Amendment Substitute

Sponsor: Sen. Linda Trujillo **Agency Name and Code:** Administrative Hearings Office, 34000
Short Title: Recreational Vehicle Manufacture & Dealer Act **Number:** _____
Person Writing: Brian VanDenzen **Phone:** 505-827-9714 **Email:** Brian.vandenzen@aho

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
	\$0-174	Recurring	General Fund

(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		\$0-174	\$0-174	\$0-348	Recurring	GF

(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: This bill amends Section 57-16-2 NMSA 1978 in manner to remove the sales, manufacturing of new recreational vehicles and then creates a Recreational Vehicle Manufacturer and Dealer Act. As it relates to the Administrative Hearings Office, Section 13 of the bill creates a new section of law establishing penalties for violations of the Recreational Vehicle Manufacturer and Dealer Act. Under Section 13, the Taxation and Revenue Department can impose up to a \$1,000.00 administrative penalty against the violator for each violation under the act. Section 13 permits the violator to file an appeal of a Taxation and Revenue Department decision to the Administrative Hearings Office. The violator may further appeal a decision of the Administrative Hearings Office to the district court.

FISCAL IMPLICATIONS

The Administrative Hearings Office has reached out to the Taxation and Revenue Department for an estimate about the volume of appeals it might receive in this area and complexity of those cases. Taxation and Revenue was unable to provide much specificity, since it is a potential new function for their agency. If the case load is 10 cases or less annually (about a case a month), the Administrative Hearings Office believes it could absorb that increase in caseload with existing fiscal resources. However, the Administrative Hearings Office is close to its capacity with its existing docket and resources, and any expansion of more complex hearings beyond this number would likely require an additional administrative law judge position and potentially additional court clerk staff.

SIGNIFICANT ISSUES

The bill's hearing provision lacks specificity as to the applicability of rules of evidence, rules of procedure, timeline for conduct of the hearing, decision deadline, or the nature of decision (final decision or recommended decision, although the appeal to district option implies it is a final decision and order). The Administrative Hearings Office Act does contain general hearing provisions related to tax hearings, motor vehicle code hearings, and Healthcare Authority hearings. This bill would not place Recreational Vehicle Manufacturer and Dealer Act hearings under any of those provisions. In the absence of specific hearing provisions, the Administrative Hearings Office would rely on its general hearing regulations to ensure a fair and impartial hearing consistent with due process requirements.

PERFORMANCE IMPLICATIONS

Given AHO is currently near its hearing capacity, adding additional hearing programs without additional resources increases the likelihood that AHO will not be able to timely conduct and adjudicate hearings in many hearing programs, including in core performance measure areas.

ADMINISTRATIVE IMPLICATIONS

AHO would need to work with Tax and Rev on ways to incorporate this new hearing type into existing case management and electronic filing systems, which has proven a challenge in the past because Tax and Rev always has other IT priorities other than AHO-related matters.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

Status Quo

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Beyond my knowledge base.

AMENDMENTS