

HOUSE COMMERCE AND ECONOMIC DEVELOPMENT
COMMITTEE SUBSTITUTE FOR
HOUSE BILL 20

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

AN ACT

RELATING TO ECONOMIC DEVELOPMENT; CREATING THE TECHNOLOGY AND
INNOVATION DIVISION WITHIN THE ECONOMIC DEVELOPMENT DEPARTMENT;
PROVIDING POWERS AND DUTIES; CREATING THE TECHNOLOGY AND
INNOVATION NETWORK ADVISORY BOARD; ENACTING THE RESEARCH,
DEVELOPMENT AND DEPLOYMENT FUND ACT; CREATING THE RESEARCH,
DEVELOPMENT AND DEPLOYMENT FUND; PROVIDING FOR MATCH FUNDING
FOR CERTAIN PROJECTS THAT PROMOTE CERTAIN GOALS; ESTABLISHING
AN APPLICATION PROCESS, ELIGIBILITY REQUIREMENTS AND AWARD
TERMS; REQUIRING REPORTING; CREATING THE TECHNOLOGY INNOVATION
PRIZE AND PROVIDING REQUIREMENTS FOR ELIGIBILITY AND RECEIVING
PRIZE MONEY; TRANSFERRING OFFICE FUNCTIONS, PERSONNEL, MONEY
AND PROPERTY TO THE TECHNOLOGY AND INNOVATION DIVISION;
REPEALING SECTIONS 9-15-16 AND 9-15-17 NMSA 1978 (BEING LAWS
1991, CHAPTER 21, SECTIONS 21 AND 22) TO REMOVE OBSOLETE
PROVISIONS; MAKING APPROPRIATIONS.

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 9-15-4 NMSA 1978 (being Laws 1983, Chapter 297, Section 4, as amended) is amended to read:

"9-15-4. DEPARTMENT ESTABLISHED.--The "economic development department" is created in the executive branch. The department shall be a cabinet department and shall consist of, but not be limited to, seven divisions as follows:

- A. the administrative services division;
- B. the economic development division;
- C. the New Mexico film division;
- D. the technology [~~enterprise~~] and innovation division;
- E. the trade and Mexican affairs division;
- F. the New Mexico outdoor recreation division; and
- G. the creative industries division."

SECTION 2. A new section of the Economic Development Department Act is enacted to read:

"[NEW MATERIAL] TECHNOLOGY AND INNOVATION DIVISION-- DUTIES.--

A. The "technology and innovation division" is created in the department. In addition to any organizational units, programs or funds that the secretary assigns to the technology and innovation division, the division consists of the office of strategy, science and technology.

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1 B. The technology and innovation division, in
 2 addition to other duties that may be assigned to the division
 3 by the secretary or by law, is authorized to:

4 (1) engage and coordinate with the technology
 5 and innovation network advisory board and the broader business
 6 community;

7 (2) support and coordinate with the target
 8 sector subcommittees of the technology and innovation network
 9 advisory board;

10 (3) represent New Mexico at national
 11 conferences and trade shows related to technology and
 12 innovation, focusing on the target sectors;

13 (4) identify and support applications for
 14 federal grant opportunities in the target sectors;

15 (5) support and develop ecosystems in New
 16 Mexico in the target sectors;

17 (6) provide program staff for each target
 18 sector to coordinate and serve as liaisons to target sector
 19 ecosystems in New Mexico;

20 (7) market and promote New Mexico's target
 21 sectors within and without New Mexico;

22 (8) administer the Research, Development and
 23 Deployment Fund Act, including:

24 (a) establishing, maintaining and
 25 administering the application process;

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- 1 (b) reviewing and evaluating grant
2 proposals;
- 3 (c) monitoring the progress and outcomes
4 of projects awarded funding;
- 5 (d) ensuring compliance with fund
6 matching requirements;
- 7 (e) tracking and reporting on the
8 performance of the research, development and deployment fund;
9 and
- 10 (f) coordinating and managing the awards
11 process in consultation with the technology and innovation
12 network advisory board;
- 13 (9) develop and maintain a statewide
14 technology and innovation strategic plan that:
- 15 (a) aligns with state economic
16 development goals;
- 17 (b) identifies key innovation assets and
18 opportunities;
- 19 (c) establishes metrics for measuring
20 progress and success; and
- 21 (d) outlines strategies for the
22 development of target sector ecosystems;
- 23 (10) collect, analyze and report to the
24 department on innovation metrics, including:
- 25 (a) economic impacts of division

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1 programs;

2 (b) state innovation performance
3 indicators;

4 (c) ecosystem development metrics; and
5 (d) returns on investment of state
6 funding;

7 (11) support technology transfer and
8 commercialization through:

9 (a) facilitating connections between
10 researchers and industry;

11 (b) providing technical assistance for
12 technology commercialization;

13 (c) supporting small business innovation
14 and incubation programs; and

15 (d) coordinating with federal and state
16 technology transfer programs;

17 (12) coordinate innovation initiatives across
18 state agencies, including:

19 (a) identifying opportunities for
20 collaboration;

21 (b) aligning resources and programs;

22 (c) reducing duplication of efforts; and

23 (d) maximizing impact of state

24 investments; and

25 (13) maintain databases and resources,

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1 including:

- 2 (a) state innovation assets and
- 3 capabilities;
- 4 (b) funding opportunities and resources;
- 5 (c) technical assistance providers; and
- 6 (d) ecosystem support organizations.

7 C. As used in this section, "target sectors" means
8 aerospace and space, biosciences, clean energy and water,
9 advanced computing, which includes artificial intelligence,
10 quantum computing and cybersecurity, and other sectors that are
11 strategic and important for statewide economic development."

12 SECTION 3. A new section of the Economic Development
13 Department Act is enacted to read:

14 "[NEW MATERIAL] TECHNOLOGY AND INNOVATION NETWORK ADVISORY
15 BOARD--CREATED--MEMBERS--DUTIES.--

16 A. The "technology and innovation network advisory
17 board" is created in the technology and innovation division of
18 the department. The advisory board consists of an executive
19 committee and any subcommittees created by the executive
20 committee. The advisory board is composed of the following:

21 (1) the secretary or the secretary's designee,
22 to serve as chair;

23 (2) ten members who may collectively be
24 referred to as "core members", including the president of the
25 New Mexico independent community colleges or that president's

1 designee, the president of the New Mexico chamber of commerce
 2 or that president's designee and one representative from each
 3 of the following:

- 4 (a) Sandia national laboratories;
- 5 (b) Los Alamos national laboratory;
- 6 (c) the United States air force research
 7 laboratory;
- 8 (d) New Mexico state university;
- 9 (e) the university of New Mexico;
- 10 (f) the university of New Mexico health
 11 sciences center;
- 12 (g) the New Mexico institute of mining
 13 and technology;
- 14 (h) Navajo technical university; and
- 15 (i) central New Mexico community
 16 college;

17 (3) a representative from each center of
 18 excellence established pursuant to Section 21-1-27.11 NMSA 1978
 19 that is not otherwise represented on the board; and

20 (4) the following public members to be
 21 appointed by the secretary:

- 22 (a) one representative from a skilled
 23 trades association in New Mexico;
- 24 (b) one representative from a regional
 25 economic development organization;

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1 (c) one representative from an Indian
2 nation, tribe or pueblo;

3 (d) one representative from the private
4 equity industry with at least five years of relevant
5 experience;

6 (e) one representative from the venture
7 capital industry with at least five years of relevant
8 experience;

9 (f) one representative from a New Mexico
10 business incubator or accelerator with at least five years of
11 relevant experience; and

12 (g) eight representatives who are
13 industry alliance members or have at least five years of
14 relevant experience working in entrepreneurial support. Two
15 representatives shall be from each of the following four target
16 sectors: aerospace and space, biosciences, clean energy and
17 water and advanced computing.

18 B. The technology and innovation network advisory
19 board is created to unite various sector perspectives to assist
20 in the guidance and ongoing strategic planning of the division.
21 The advisory board shall:

22 (1) provide to the technology and innovation
23 division recommendations for strategic engagement, industry
24 perspective, sectors that the division should make target
25 sectors and feedback on the division's programs and

1 initiatives;

2 (2) assist with ensuring active engagement
3 between the state and the private sector;

4 (3) assist the technology and innovation
5 division with administering the Research, Development and
6 Deployment Fund Act, including providing recommendations to
7 that division for eligibility requirements, funding priorities
8 and the awarding of project funding; and

9 (4) publish annual performance reports by
10 December of each year that identify near-term constraints and
11 challenges, identify opportunities and long-term trends and
12 provide sector survey metrics and policy recommendations.

13 C. The technology and innovation network advisory
14 board shall meet, beginning in 2025, not less than quarterly at
15 the call of the chair or at the request of two-fifths of its
16 membership to carry out its duties. A majority of the members
17 constitutes a quorum for the transaction of business, and the
18 support of a majority of the quorum is required for adoption of
19 any action.

20 D. Appointments to the technology and innovation
21 network advisory board shall be made by and the terms of
22 service of appointed members shall start on September 1, 2025.
23 The terms shall be four years, and the initial terms shall be
24 staggered so that the terms of one-half of the members shall
25 expire at the end of the initial two years and the terms of the

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1 remaining members shall expire at the end of the initial four
2 years. The initial terms shall be selected by random drawing.

3 E. Each member of the advisory board shall,
4 pursuant to a policy adopted by and on forms required by the
5 executive committee of the board, disclose conflicts of
6 interest annually.

7 F. In the event of a vacancy on the technology and
8 innovation network advisory board, a new member shall be
9 appointed by the original appointing authority for the
10 remainder of the unexpired term. A member may be removed by
11 the secretary or by a two-thirds' vote of the executive
12 committee members.

13 G. Public members of the technology and innovation
14 network advisory board are entitled to receive per diem and
15 mileage as provided in the Per Diem and Mileage Act and shall
16 receive no other compensation, perquisite or allowance.

17 H. The staff for the technology and innovation
18 network advisory board shall be provided by the technology and
19 innovation division of the department, and the staff shall
20 provide:

21 (1) administrative and technical support for
22 the advisory board;

23 (2) assistance with the coordination and
24 documentation of board, executive committee and subcommittee
25 meetings;

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1 (3) assistance with reporting requirements and
2 metric tracking; and

3 (4) support with the administration of
4 grants."

5 SECTION 4. A new section of the Economic Development
6 Department Act is enacted to read:

7 "[NEW MATERIAL] TECHNOLOGY AND INNOVATION NETWORK ADVISORY
8 BOARD--EXECUTIVE COMMITTEE--SUBCOMMITTEES--COMPOSITION AND
9 DUTIES.--

10 A. There are created within the technology and
11 innovation network advisory board an executive committee and
12 four subcommittees: the aerospace and space subcommittee, the
13 advanced computing subcommittee, the biosciences subcommittee
14 and the clean energy and water subcommittee.

15 B. The executive committee is composed of the
16 following members of the technology and innovation network
17 advisory board:

18 (1) the chair;
19 (2) two core members;
20 (3) two of the public members appointed by the
21 secretary; and

22 (4) one representative from each of the
23 following four target sectors: aerospace and space,
24 biosciences, clean energy and water and advanced computing.

25 C. The executive committee shall oversee the

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1 technology and innovation network advisory board's operations,
2 set meeting agendas, review and approve subcommittee
3 recommendations and make time-sensitive decisions between full
4 board meetings.

5 D. A subcommittee shall be composed of the two
6 representatives from the corresponding target sector, one
7 representative from a laboratory, one representative from a
8 university, one representative from private industry and the
9 secretary or the secretary's designee to serve as chair. The
10 subcommittee members shall elect a vice chair. A member of the
11 public may apply to the executive committee to be a nonvoting
12 member of a subcommittee, and the executive committee shall
13 adopt policies and procedures necessary for such an application
14 and evaluation process.

15 E. A subcommittee created shall develop sector-
16 specific metrics and goals, review and assess relevant grant
17 proposals, monitor sector performance and trends, prepare
18 annual reports and identify cross-sector opportunities.

19 F. The executive committee, beginning September 1,
20 2025, and any subcommittees created shall meet not less than
21 quarterly at the call of the chair or at the request of
22 two-fifths of its membership to carry out its duties. A
23 majority of the members constitutes a quorum for the
24 transaction of business, and the support of a majority of the
25 quorum is required for adoption of any action."

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1 SECTION 5. [NEW MATERIAL] SHORT TITLE.--Sections 5
 2 through 11 of this act may be cited as the "Research,
 3 Development and Deployment Fund Act".

4 SECTION 6. [NEW MATERIAL] DEFINITIONS.--As used in the
 5 Research, Development and Deployment Fund Act:

6 A. "applicant" means a person or entity applying
 7 for project funding;

8 B. "applicant match" means money for a project
 9 provided by an applicant or a partnering entity that is not a
 10 political subdivision of the state;

11 C. "board" means the technology and innovation
 12 network advisory board established pursuant to Section 3 of
 13 this 2025 act;

14 D. "business" means any corporation, partnership,
 15 limited liability company, joint venture or other similar legal
 16 entity registered in New Mexico;

17 E. "department" means the economic development
 18 department;

19 F. "division" means the technology and innovation
 20 division of the department;

21 G. "documented need" means language in
 22 solicitations for non-state funding or other communications
 23 from authorized officials within a non-state funding agency or
 24 corporation that clearly states that regional or institutional
 25 support, commitments or matching funds will be used in the

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1 evaluation of proposals for non-state funding;

2 H. "fund" means the research, development and
3 deployment fund;

4 I. "public entity" means a political subdivision of
5 the state, a state agency or a national laboratory or public
6 post-secondary educational institution in New Mexico; and

7 J. "target sector" means aerospace and space,
8 biosciences, clean energy and water, advanced computing, which
9 includes artificial intelligence, quantum computing and
10 cybersecurity, and other sectors that are strategic and
11 important for statewide economic development.

12 SECTION 7. [NEW MATERIAL] RESEARCH, DEVELOPMENT AND
13 DEPLOYMENT FUND.--

14 A. The "research, development and deployment fund"
15 is created as a nonreverting fund in the state treasury. The
16 fund consists of distributions, appropriations, gifts, grants,
17 donations and income from investment of the fund. The
18 department shall administer the fund. Money in the fund is
19 appropriated to the department for the purposes of catalyzing
20 innovation, economic growth and job creation by providing
21 early-stage capital and financial support to emerging
22 technologies, start-up businesses and research initiatives that
23 align with the state's economic development plan through
24 project awards pursuant to the Research, Development and
25 Deployment Fund Act.

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1 B. Expenditures from the fund shall be by warrant
 2 of the secretary of finance and administration pursuant to
 3 vouchers signed by the secretary of economic development or the
 4 secretary's authorized representative.

5 **SECTION 8. [NEW MATERIAL] PROJECT FUNDING--DEPARTMENT**
 6 **DUTIES--APPLICATIONS.--**

7 A. The division shall administer the provisions of
 8 the Research, Development and Deployment Fund Act to provide
 9 project funding to applicants that meet all eligibility
 10 requirements. The division shall:

11 (1) establish a streamlined application
 12 process pursuant to the requirements of the Research,
 13 Development and Deployment Fund Act, with:

14 (a) eligibility requirements and funding
 15 priorities, which shall be established in consultation with the
 16 board; and

17 (b) an option for the expedited review
 18 and processing of applications for applicants who submit
 19 additional justifying documentation of exigent circumstances,
 20 as required by the department;

21 (2) establish clear application evaluation
 22 criteria that are aligned with state economic development
 23 goals;

24 (3) award project funding in consultation with
 25 the board's recommendations;

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1 (4) verify applicant match funding
2 requirements for a project when a match is applicable or match
3 funding is being requested;

4 (5) monitor ongoing compliance with a funded
5 project's match requirements when a match is applicable or
6 match funding is being requested;

7 (6) establish procedures for addressing
8 undelivered applicant funding commitments;

9 (7) annually report with the department to the
10 legislature and governor on the administration, performance and
11 efficacy of the Research, Development and Deployment Fund Act;
12 and

13 (8) promulgate rules necessary to implement
14 and administer the provisions of the Research, Development and
15 Deployment Fund Act, in consultation with the board.

16 B. Applications may be submitted:

17 (1) up to three hundred sixty-five days prior
18 to anticipated federal or private sector grant deadlines for
19 new or recurring published opportunities;

20 (2) for pending proposals with multistage
21 reviews that have been submitted but have not had an award
22 finalized or, subject to department approval, within ninety
23 days after such an award is finalized;

24 (3) for project funding awards pending
25 successful non-state funding or private grant applications;

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1 (4) for re-application by an applicant who has
2 previously been denied project funding; provided that the
3 applicant makes changes and improvements based on any feedback
4 received from the prior application; and

5 (5) in response to grant award solicitations
6 by the division.

7 C. In administering the provisions of the Research,
8 Development and Deployment Fund Act, the division shall not:

9 (1) limit reviews to cycles exceeding monthly
10 time frames but shall accept and review applications on an
11 ongoing, rolling basis;

12 (2) impose limitations on the amount of
13 project funding that may be awarded to public post-secondary
14 educational institutions, except as provided in the Research,
15 Development and Deployment Fund Act; or

16 (3) restrict the awarding of project funding
17 to only research activities.

18 SECTION 9. [NEW MATERIAL] ELIGIBILITY REQUIREMENTS.--

19 A. To be eligible for project funding:

20 (1) an applicant shall be a public entity or a
21 business registered in New Mexico;

22 (2) an applicant's project shall be reasonably
23 expected to do two or more of the following in New Mexico:

24 (a) advance innovation in at least one
25 of the target sectors;

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1 (b) foster collaboration between at
2 least two of the following: private industry, a national
3 laboratory, a federal agency or a public entity;

4 (c) leverage federal or private
5 investment;

6 (d) create new economic opportunities;

7 (e) create new jobs and workforce
8 training opportunities; and

9 (f) advance the commercialization of a
10 technology in at least one of the target sectors;

11 (3) an applicant shall submit:

12 (a) a project budget that includes
13 proposed and anticipated funding from state and non-state
14 sources;

15 (b) one or more letters of support or
16 letters of commitment of resources to the project;

17 (c) if a public entity, at least one
18 partnership agreement entered into for the purposes of the
19 project from partners not under the control of the applicant;

20 (d) a time line detailing when and how
21 project funding will be expended;

22 (e) a time line for non-state funding
23 availability and applicant match funding availability, if
24 applicable; and

25 (f) a valuation methodology for in-kind

1 contributions, if applicable;

2 (4) if applicable due to a match requirement,
 3 an applicant shall submit evidence satisfactory to the division
 4 that the applicant has received applicant match in an amount
 5 that is equal to or greater than the amount of project funding
 6 the applicant is requesting, including certification by the
 7 applicant of such a fact;

8 (5) if an applicant is seeking project funding
 9 in connection with or as part of a separate application for
 10 grant money that requires cost sharing, matching funds,
 11 institutional support or regional financial commitments as a
 12 condition of eligibility for that grant money, the applicant
 13 shall submit written evidence from the entity providing that
 14 grant money that clearly states such requirements will be used
 15 in the evaluation of applications for that grant money. If no
 16 such written evidence exists of the requirements for
 17 institutional support or regional financial commitment, the
 18 applicant may submit alternative proof of the requirements and
 19 the division shall establish criteria and, on a case-by-case
 20 basis, evaluate whether the proof is sufficient; and

21 (6) an applicant shall meet all other
 22 eligibility requirements of the division, which the division
 23 shall establish in consultation with the board.

24 B. In lieu of evidence of documented need for
 25 project funding required pursuant to Subsection A of this

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1 section, an applicant may include with the applicant's
2 application a justification for why project funding is
3 necessary for the project to be successful and effectively
4 promote state interests in one or more target sectors.

5 C. When an applicant's project has a match
6 requirement, the division may reduce applicant match
7 requirements by up to fifty percent for projects:

8 (1) that primarily benefit communities that
9 are rural or part of Indian nations, tribes or pueblos;

10 (2) led by minority-serving public post-
11 secondary educational institutions as defined in federal law;
12 or

13 (3) that address critical state needs as
14 determined by the department in its statewide economic plan.

15 D. An in-kind contribution to a project may qualify
16 as a portion of an applicant's required match when the:

17 (1) value of the in-kind contribution can be
18 independently verified;

19 (2) in-kind contribution is essential to the
20 project's success, as determined by the division;

21 (3) in-kind contribution would otherwise be a
22 legitimate project expense; and

23 (4) total in-kind contributions to a project
24 constitute no more than fifty percent of the applicant match.

25 SECTION 10. [NEW MATERIAL] PROJECT FUNDING AWARDS--

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1 PROCESS--TERMS.--

2 A. Priority shall be given to projects that:

3 (1) create high-quality, high-wage jobs in New
4 Mexico;

5 (2) have higher percentages of matching funds
6 from non-public entities;

7 (3) demonstrate strong potential for
8 commercialization in a target sector;

9 (4) support the growth of New Mexico-based
10 companies;

11 (5) benefit communities that are rural or in
12 an Indian nation, tribe or pueblo; and

13 (6) provide opportunities for broad regional
14 participation.

15 B. Awards of project funding shall:

16 (1) allow for multiyear project periods
17 aligned with federal or private sector grant or other non-state
18 funding opportunity time lines;

19 (2) permit pre-award project spending by
20 applicants when necessary to meet non-state grant application
21 deadlines; provided that applicants shall use non-state funding
22 or other institutional funding for pre-award spending; and

23 (3) provide that a certain amount of the
24 funding may be used for an applicant's administrative costs to
25 implement the project.

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1 **SECTION 11.** [NEW MATERIAL] REPORTING.--On or before
2 December 1 of 2025 and of every year thereafter, the department
3 shall provide a report to the governor, the legislative finance
4 committee and the appropriate interim committees that study
5 economic development regarding the administration, efficacy and
6 performance of the Research, Development and Deployment Fund
7 Act, including:

- 8 A. projects that have been awarded funding;
- 9 B. for each project, the dollar amounts awarded,
10 the amount of non-state matching funds the project received, if
11 applicable, and the amount of non-state funding leveraged;
- 12 C. updates on the progress, performance, outcomes
13 and impacts of each project that was awarded funding;
- 14 D. total jobs created and retained in New Mexico;
- 15 E. return on investment of state money spent
16 pursuant to the Research, Development and Deployment Fund Act;
- 17 F. any additional investment that was attracted to
18 the state and state-owned businesses; and
- 19 G. other relevant performance metrics, including
20 those recommended by the board to measure the success of the
21 Research, Development and Deployment Fund Act and the state's
22 investment of public money pursuant to that act.

23 **SECTION 12.** A new section of the Economic Development
24 Department Act is enacted to read:

25 "[NEW MATERIAL] TECHNOLOGY INNOVATION PRIZE--ELIGIBILITY--

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1 REQUIREMENTS--PARTICIPATION--ADMINISTRATION.--

2 A. The department shall establish and administer
 3 the "technology innovation prize program". The prize program
 4 shall provide:

- 5 (1) no less than five million dollars
 6 (\$5,000,000) for the top award recipient;
- 7 (2) no less than one million dollars
 8 (\$1,000,000) each for the next two award recipients; and
- 9 (3) additional award amounts as recommended
 10 and approved by the technology and innovation network advisory
 11 board.

12 B. Technology innovation prizes shall only be
 13 awarded to companies that provide technological innovation in
 14 the following sectors:

- 15 (1) clean energy and water;
- 16 (2) aerospace and space;
- 17 (3) advanced computing, including quantum
 18 computing, artificial intelligence and cybersecurity;
- 19 (4) biosciences; or
- 20 (5) other sectors that are recommended through
 21 resolution of the technology and innovation network advisory
 22 board.

23 C. To be eligible for a technology innovation
 24 prize, an applicant shall:

- 25 (1) be a business registered in New Mexico;

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1 (2) have a substantial presence in New Mexico
2 or commit to establishing such presence; and

3 (3) in the case of an international applicant,
4 maintain a contractual partnership with a New Mexico-based
5 entity.

6 D. Before receiving technology innovation prize
7 money, a recipient shall enter into a contract with the
8 department that requires the recipient to:

9 (1) maintain operations and a substantial
10 presence in New Mexico for a minimum of three years after
11 receiving the award;

12 (2) create and maintain for at least three
13 years after receiving prize money a number of jobs in New
14 Mexico, as required by the department;

15 (3) participate in science, technology,
16 engineering and mathematics education initiatives within the
17 state; and

18 (4) repay to the department the prize money at
19 a fair current market interest rate if the recipient accepts
20 the prize money and fails to meet a requirement of this
21 section.

22 E. The department shall establish or coordinate
23 with existing programs to provide technology innovation prize
24 money recipients with:

25 (1) access to New Mexico's national

1 laboratories for consultation;

2 (2) mentorship opportunities with industry
3 experts; and

4 (3) networking events with potential investors
5 and partners.

6 F. The department, with approval from the
7 technology and innovation network advisory board and for the
8 purposes of administering the technology innovation prize
9 program, shall create a steering committee, develop program
10 time lines, establish application rules and guidelines,
11 establish partnerships and determine resource allocation.

12 G. The department shall promulgate rules as
13 necessary to carry out the provisions of this section.

14 H. As used in this section, "business" means any
15 corporation, partnership, limited liability company, joint
16 venture or other similar legal entity."

17 **SECTION 13.** Section 9-15-18 NMSA 1978 (being Laws 1991,
18 Chapter 21, Section 23) is amended to read:

19 "9-15-18. PROPRIETARY INFORMATION.--

20 A. Any information obtained by the technology
21 [~~enterprise~~] and innovation division that is deemed by the
22 director to be proprietary technical or business information
23 shall be held in confidence. Proprietary technical or business
24 information shall not be deemed a public record under the
25 Public Records Act or be open to inspection under Section

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1 14-2-1 NMSA 1978. The technology [~~enterprise~~] and innovation
2 division shall take such steps as are necessary to safeguard
3 the confidentiality of the information.

4 B. Notwithstanding Sections 10-15-1 through 10-15-4
5 NMSA 1978 or any other law requiring meetings of public bodies
6 to be open to the public, meetings of the commission shall be
7 closed when proprietary technical or business information is
8 discussed."

9 SECTION 14. Section 9-15-19 NMSA 1978 (being Laws 1991,
10 Chapter 21, Section 24) is repealed and a new Section 9-15-19
11 NMSA 1978 is enacted to read:

12 "9-15-19. [NEW MATERIAL] TECHNOLOGY AND INNOVATION FUND
13 CREATED.--The "technology and innovation fund" is created as a
14 nonreverting fund in the state treasury to replace the
15 technology enterprise fund. The fund consists of
16 distributions, appropriations, gifts, grants, donations, money
17 from cooperative research and technology transfer agreements
18 and income from investment of the fund. The economic
19 development department shall administer the fund. Money in the
20 fund is subject to appropriation by the legislature for
21 administering the provisions of Section 2 of this 2025 act.
22 Expenditures from the fund shall be by warrant of the secretary
23 of finance and administration pursuant to vouchers signed by
24 the secretary of economic development or the secretary's
25 authorized representative."

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1 **SECTION 15. TEMPORARY PROVISION--TRANSFER.--**

2 A. On the effective date of this act:

3 (1) the office of strategy, science and
4 technology of the economic development department and the
5 office of entrepreneurship of the economic development
6 department, including the functions, personnel, appropriations,
7 money, records and other property of those offices, shall be
8 transferred to the technology and innovation division of the
9 economic development department; and

10 (2) money in the technology enterprise fund
11 shall be transferred to the technology and innovation fund.

12 B. The secretary of economic development shall
13 assign other programs and funds management to the appropriate
14 division.

15 C. Contractual obligations of any of the
16 transferred units of the economic development department shall
17 continue to be obligations of the department.

18 **SECTION 16. APPROPRIATIONS.--**

19 A. One hundred million dollars (\$100,000,000) is
20 appropriated from the general fund to the research, development
21 and deployment fund for expenditure in fiscal year 2026 and
22 subsequent fiscal years for the purposes of the fund. Any
23 unexpended or unencumbered balance remaining at the end of a
24 fiscal year shall not revert to the general fund.

25 B. Ten million dollars (\$10,000,000) is

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underscoring material = new
~~[bracketed material] = delete~~

1 appropriated from the general fund to the economic development
2 department for expenditure in fiscal years 2026 through 2029 to
3 award prizes pursuant to the technology innovation prize
4 program. Any unexpended or unencumbered balance remaining at
5 the end of fiscal year 2029 shall revert to the general fund.

6 SECTION 17. REPEAL.--Sections 9-15-16 and 9-15-17 NMSA
7 1978 (being Laws 1991, Chapter 21, Sections 21 and 22) are
8 repealed.

9 SECTION 18. EFFECTIVE DATE.--The effective date of the
10 provisions of this act is July 1, 2025.