

HOUSE BILL 159

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

INTRODUCED BY

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AN ACT

RELATING TO CONSTRUCTION; REQUIRING DEVELOPERS OR OWNERS OF RENEWABLE ENERGY OR OTHER PROJECTS TO NOTIFY THE CHAIR OF THE MILITARY BASE PLANNING COMMISSION OF A NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION SUBMITTED TO THE FEDERAL AVIATION ADMINISTRATION TO INITIATE THE UNITED STATES DEPARTMENT OF DEFENSE MILITARY AVIATION AND INSTALLATION ASSURANCE SITING CLEARINGHOUSE'S APPROVAL PROCESS; REQUIRING NOTICE OF FEDERAL APPROVAL OR A FINDING OF ADVERSE IMPACT.

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

SECTION 1. A new section of Chapter 9, Article 15 NMSA 1978 is enacted to read:

"[NEW MATERIAL] NOTIFICATION TO MILITARY BASE PLANNING COMMISSION--FAILURE AND REMOVAL.--When the developer or owner of a project for construction or expansion of a wind energy

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1 conversion device, solar collector or other facility submits a
2 notice of proposed construction or alteration of a project to
3 the federal aviation administration to initiate the approval
4 process by the United States department of defense's military
5 aviation and installation assurance siting clearinghouse in
6 compliance with federal law, the project developer or owner
7 shall:

8 A. within ten days, inform the chair of the
9 military base planning commission in writing about the
10 submitted notice and provide a description of the project's
11 location and basic project details; and

12 B. within ten days of obtaining an approval or a
13 finding of adverse impact from the military aviation and
14 installation assurance siting clearinghouse, provide a copy of
15 the approval or finding to the chair of the commission."

16 SECTION 2. EFFECTIVE DATE.--The effective date of the
17 provisions of this act is July 1, 2025.