

# NM Legislative Session Update

February 11, 2025

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# Overview of the current situation

- Number of bills filed
- February 20 – last day to introduce a bill
- Bill Tracking
- Committee process
- Coordination with other entities
- Capital Outlay

## Duran Priorities Tracking List 2025 (2025 Reg)

**Bill:** SB8945  
**Sponsors:** Gonzales (D6)  
**Title:** CA: LIMITS USE OF PUBLIC EMPLOYEES RETIREE HEALTH CARE TRUST FUNDS  
**Summary:** Proposes a constitutional amendment to Article 20 of the Constitution of New Mexico to prohibit the use of trust funds created for Public Employees Retiree Health Care for any purpose except the sole and exclusive benefit of the trust beneficiaries. Provides for the administration of the trust funds and affirms a vested property right with due process protections for any state employee and any of its institutions or political subdivisions who meet the minimum service requirements.  
**Subjects:** Health and Medical Practice; Insurance; Public Employees/Retirement; County Affairs; Municipalities/City Government; State Affairs and State Agencies  
**Progress:** Proposed for introduction  
**Status:** 01/02/2025 - **Prefiled** in the Senate  
**History:** 01/02/2025—S **Prefiled** in the Senate.  
**Position:** Support

**Bill:** HB11  
**Sponsors:** Chandler (D43)  
**Title:** PAID FAMILY AND MEDICAL LEAVE ACT  
**Summary:** (Largely tracks with 2024 HB6 and SB3; see also similar proposals dating back to 2015) Proposes the Paid Family and Medical Leave Act; creates a temporary Paid Family and Medical Leave Implementation Advisory Committee in the Workforce Solutions Department and the Paid Family and Medical Leave Fund. The act's purpose is to compensate employees and self-employed persons taking leave to: bond with a child; take measures to protect an employee or family member who is a victim of domestic violence, stalking, or sexual assault; provide care for themselves or family members experiencing a serious health condition, or following the death of a minor child; or take leave for a family member on active military duty. The program exempts employers with fewer than five employees and those who offer similar or better self-funded benefits packages that don't wish to participate. Federal employees would not be subject to the program, nor would tribes and pueblos (but tribes and pueblos may elect to participate).  
**Subjects:** Business, Manufacturing and Economic Development; Family and Juveniles; Health and Medical Practice; Indians; Labor; Veterans and Military Affairs; State Affairs and State Agencies; County Affairs; Municipalities/City Government  
**Progress:** 1st House: Reported from Committees  
**Status:** 01/28/2025 - House Commerce and Economic Development Committee  
**History:** 01/07/2025—H **Prefiled** in the House.  
01/21/2025—H Introduced and referred to House Health & Human Services.  
01/21/2025—H Also referred to House Commerce & Economic Development.  
01/28/2025—H Reported Do Pass by House Health & Human Services.  
**Position:** Support  
**Priority:** [Top-tier](#)

**Bill:** HB175  
**Sponsors:** Vincent (R56)  
**Title:** FOREST AND WATERSHED BUFFER PROJECTS  
**Summary:** Amends the Forest and Watershed Restoration Act by making projects to create or maintain buffers in and around wildland-urban interfaces eligible for funding from the Forest Land Protection Revolving Fund.  
**Subjects:** Natural Resources (Parks and Wildlife); Water; Agriculture and Ranching; Land, Housing and Real Estate; Business, Manufacturing and Economic Development; Environment and Pollution  
**Progress:** Introduced  
**Status:** 01/28/2025 - House Energy, Environment and Natural Resources Committee  
**History:** 01/28/2025—H Introduced and referred to House Energy, Environment & Natural Resources.  
01/28/2025—H Also referred to House Appropriations & Finance.  
**Position:** Support  
**Priority:** [Top-tier](#)

# High support, high priority bills

- Health care/medical practitioners/malpractice
- Wildfire mitigation
- Environment
- IPRA
- Education

# Support Bills

**Bill:** [HB11](#)

**Sponsors:** Chandler (D43); Stewart (D17); Serrato (D45); Roybal Caballero (D13)

**Title:** PAID FAMILY AND MEDICAL LEAVE ACT

**Bill:** [HB175](#)

**Sponsors:** Vincent (R56); Ortiz (D42); Terrazas (R39); Dow (R38)

**Title:** FOREST AND WATERSHED BUFFER PROJECTS

**Summary:** Amends the Forest and Watershed Restoration Act by making projects to create or maintain buffers in and around wildland-urban interfaces eligible for

**Bill:** [SB33](#)

**Sponsors:** Stefanics (D39); Vincent (R56); Ortiz (D42); Gonzales (D70)

**Title:** WILDFIRE PREPARED ACT AND FUND

**Summary:** Cited as the “Wildfire Prepared Act,” it seeks to strengthen preparedness of structures for wildfires through the newly created Wildfire Prepared Fund and the awarding of grants for a Wildfire Prepared Program. Appropriates \$20 million (GF, nonreverting) to the Fund.

**Bill:** [SB46](#)

**Sponsors:** Trujillo (D24)

**Title:** INTERSTATE MEDICAL LICENSURE COMPACT

**Summary:** Enters New Mexico in the Interstate Medical Licensure Compact for the purpose of facilitating interstate practice by physicians and improving public access to physician services. The Interstate Medical Licensure Compact Commission would serve as the national administrative body, and the bill authorizes the Governor to appoint two members to the Commission. Key features of the Compact follow.

# Support Bills

**Bill:** [HB108](#)

**Sponsors:** Ortiz (D42); Stefanics (D39); Szczepanski (D47)

**Title:** STATEWIDE PUBLIC HEALTH AND CLIMATE PROGRAM

**Summary:** (Similar to 2025 HB109, 2024 HB104 and 2023 HB42) Creates a public health and climate program in the Environmental Health Bureau of the Epidemiology and Response Division of the Department of Health to focus on health equity, reducing health impacts of extreme weather, and climate change adaptation in the state. Appropriates \$1.1 million (GF) to DOH for use in FY2026 to support the program.

**Bill:** [SB81](#)

**Sponsors:** Wirth (D25); Vincent (R56)

**Title:** FAIR PLAN ACT REVISIONS

**Summary:** (State agency bill) Creates the New Mexico Property Insurance Program Association Board to establish and administer the FAIR plan to provide property and commercial property insurance to persons unable to obtain insurance in the regular market. Appropriates \$50 million from the GF to the Office of the Superintendent of Insurance to administer the FAIR Plan Act and fire mitigation programs.

**Bill:** [HB32](#)

**Sponsors:** Sarinana (D21); Gurrola (D16); Lujan (D48)

**Title:** ELECTRIC SCHOOL BUSES

**Summary:** (Similar to 2024 HB75) Amends the Public School Finance Act to require the Public Education Department to allow school districts to replace a school bus with an electric or zero-emission alternative fuel bus. Permits the electric buses to be used for electrical energy storage when not in use for transportation.

**Bill:** [HB51](#)

**Sponsors:** Sarinana (D21)

**Title:** ENERGY STORAGE SYSTEM TAX CREDITS

**Summary:** (Similar to 2024 HB73 and 2023 HB32) Grants nonrefundable personal and corporate income tax credits to taxpayers who purchase and install an energy storage system on the taxpayer's residential (personal only), commercial, industrial or agricultural property in New Mexico for taxable years 2025 through 2030. Credit amount equals 40 percent of the purchase and installation costs of the system, up to a maximum of \$6,000 for installation at a residence or \$150,000 if at a commercial, industrial or agricultural property.

# Support Bills

**Bill:** [SB4](#)

**Sponsors:** Stewart (D17)

**Title:** SETS STATEWIDE GREENHOUSE GAS EMISSIONS LIMITS

**Summary:** Amends the Environmental Improvement Act and the Air Quality Control Act to set limits on emission of greenhouse gases. Requires Environment Department, in consultation with Energy, Mining and Natural Resources Department (EMNRD), by 12/31/2026 to allocate by greenhouse gas sector the reductions the Environment Department (ED) determines are necessary to achieve, through rule-making, the emissions limits. Appropriates \$3 million from the GF to ED for subsequent years to administer the program.

**Bill:** **HB139**

**Sponsors:** Cates (D44)

**Title:** INSPECTION OF PUBLIC RECORDS ACT

**Summary:** Significant and notable changes are made to almost the entirety of the Inspection of Public Records Act. Public bodies are required to appoint custodians to oversee requests for public documents, create procedures for documents and information that include electronic records, and the inspection of records. Provision is made for cost recovery; limits obligation to create and maintain records; specifies general exemptions from disclosure and exemptions for specific types of records. Provides relief for public bodies from “vexatious” requesters. Provides for enforcement. Includes 42 new and restated definitions.

# Support Bills

**Bill:** [SB238](#)

**Sponsors:** Stewart (D17)

**Title:** APPROPRIATION: YOUTH BEHAVIORAL HEALTH PREVENTION PROJECT

**Summary:** Appropriates \$1.45 million (GF) to the Public Education Department for use in FY 2026 for a youth behavioral health prevention project offered through a multi-component digital platform. Requires that the platform provide online behavioral health education resources, pre-moderated peer-to-peer support services, and online private sessions with state-licensed behavioral health professionals. The provider of the platform must have experience providing services to public school students in other states.

**Bill:** [SB54](#)

**Sponsors:** Duhigg (D10)

**Title:** COORDINATED BEHAVIORAL HEALTH INITIATIVE

**Summary:** Relates to Public Safety. Proposes a coordinated multi-agency approach to addressing behavioral health issues that impact public safety and corrections statewide that includes workforce development and in-service training, system-wide behavioral health standards of care, data management and use to target law enforcement resources, crisis intervention, law enforcement deflection, medical treatment and intervention, pre-trial diversion and post-incarceration re-entry programs, and the creation of a statewide plan for community-based crisis intervention. Establishes new funds.

# Oppose Bills

**Bill:** [HB45](#)

**Sponsors:** Block, John (R51)

**Title:** RENEWABLE ENERGY PRODUCTION TAX ACT

**Summary:** Creates the Renewable Energy Production Tax Act, imposes a tax on electricity generated through renewable resources, and provides for the administration and enforcement of the act by the Taxation and Revenue Department. Places a 3.75 percent tax on the taxable value of each mega-watt, or portion thereof, of electricity generated using renewable resources in New Mexico. Sets taxable value as the monthly average wholesale value of electricity established by the US Energy Information Agency for the southwest regional wholesale market for the month of production.

## New Mexico Counties Oppose Bills

**Bill:** SB30 – PERA 2% COLA

This bill as written significantly increased the unfunded liability by \$40 - \$50 million. There is an approximately \$400 million impact, and the bill only provides for \$10 million for the state plan. As written, it puts a significant financial burden on local governments to fund their entity's portion of the unfunded liability.

**Bill:** SB117 – PERA Cost-of-Living Adjustments

Ties COLAs with the SSA COLA rates which are based on the Consumer Price Index and vary significantly each year. This would increase PERA's unfunded liability from \$8.7 billion to approximately \$10.2 billion. The proposed \$50 million annual appropriation is not sufficient.

**Bill:** SB138 – Oil & Gas Funds to the Magistrate and Judicial Retirement funds.

There are at least 4 other bills that could create unintended consequences. PERA's Executive Director will continue to monitor



# High Priority, No Position

**Bill:** [SB176](#)

**Sponsors:** Hickey (D20)

**Title:** LIMITS ON MEDICAL MALPRACTICE PUNITIVE DAMAGE AWARDS AND ATTORNEY FEES

**Summary:** Relates to medical malpractice; requires 75% of punitive damage awards in medical malpractice claims to be awarded to the state and 25% of the punitive damage award to be awarded to the prevailing party; limits attorney fees; creates the Patient Safety Improvement Fund to be administered by the Department of Health (DOH); requires payments from Patient's Compensation Fund to be made as expenses are incurred. Makes an appropriation.

**Bill:** [HB47](#)

**Sponsors:** De La Cruz (D12); Martinez, A. (R23)

**Title:** PROPERTY TAX: VETERAN EXEMPTION CHANGES

**Summary:** Brings two veteran-related property tax exemptions into law as a result of constitutional amendments that were approved by voters at the November 5, 2024 General Election relating to veterans. Expands both the veteran exemption at Sec. 7-37-5 and the disabled veteran exemption at Sec. 7-37-5.1, which are explained below.

**Bill:** [HB61](#)

**Sponsors:** Chandler (D43); Silva (D53)

**Title:** INCREASED PENALTIES FOR VIOLATION OF UNFAIR PRACTICES ACT

**Summary:** Increases civil penalties for violation of the Unfair Practices Act; adds additional penalty for unfair or deceptive practices arising from a disaster or emergency. Also amends certain definitions in the act.

**Bill:** [HB63](#)

**Sponsors:** Romero, G. (D10); Stewart (D17)

**Title:** PUBLIC SCHOOL FUNDING FORMULA

**Summary:** (For the Legislative Education Study Committee) Appropriates \$132, 725, 000 (GF, reverting) to the State Equalization Guarantee for FY2026; and \$5.0 million (GF, nonreverting) to the State Support Reserve Fund to hold districts harmless. Amends the School Finance Act to make changes to the highly complex formula for calculating how annual appropriations to the SEG are distributed among all school districts and charter schools in the state. The formula is based on a long list of weighted factors, such that any change in the formula changes the proportion of the total SEG appropriation that each district and charter school gets; the SEG pays for basic operational costs of districts and charters. The bill includes a hold-harmless provision for districts and charter schools that would otherwise see a reduction in funding as a result of formula changes from the prior year.

# No Position

- Bill:** [HB70](#)  
**Sponsors:** Lujan (D48)  
**Title:** APPROPRIATION: BEHAVIORAL HEALTH MEDICAID WAIVER ACT  
**Summary:** Cited as the Behavioral Health Medicaid Waiver Act, \$1.1 million is appropriated (GF) to the Health Care Authority for use in FYs 2026 and 2027 to retain a qualified consultant to guide HCA in the development of an application to the federal government for the creation of a Behavioral Health Medicaid Waiver Program and to hire four full-time employees to work exclusively to develop and submit the application for the waiver program. Unexpended amounts will revert to the General Fund. By no later than December 31, 2025, HCA shall submit an application to the Federal Centers for Medicare and Medicaid Services for authority to operate a Medicaid Waiver Program for persons with behavioral health disabilities
- Bill:** [SB12](#)  
**Sponsors:** Sedillo Lopez (D16)  
**Title:** NEW MEXICO TELEHEALTH ACT: EXPANDS SCOPE OF HEALTH CARE PROVIDERS  
**Summary:** Expands the scope of the New Mexico Telehealth Act in two ways: (1) to authorize out-of-state health care providers who do not have a New Mexico Telehealth License to provide second opinions and consultations for prospective treatment to patients in New Mexico; and (2) to allow more types of health care providers to provide telehealth services, i.e., a certified peer support worker or any other health care professional who has received a Medicaid provider ID from the Health Care Authority.
- Bill:** [SB31](#)  
**Sponsors:** Campos (D8)  
**Title:** NATURAL DISASTER LOAN PROGRAM AND FUNDS  
**Summary:** Directs the Department of Finance and Administration to provide zero-interest loans to political subdivisions and electric cooperatives that have been approved for FEMA funding for a federally declared natural disaster. Creates the Natural Disaster Revolving Fund and transfers money from the Appropriation Contingency Fund to it. Creates the Federal Reimbursement Revolving Fund. Appropriates \$150 million (GF, nonreverting) to the Natural Disaster Revolving Fund for use in FY 2025 and subsequent years. Makes changes to the terms of the Appropriation Contingency Fund and provides a new listing for the State Reserves.

# No Position

**Bill:** [SB224](#)

**Sponsors:** Trujillo (D24)

**Title:** SUPERINTENDENT OF INSURANCE INCLUSION: MEDICAL MALPRACTICE MEDIATION

**Summary:** Authorizes the Superintendent of Insurance to participate in any mediation process concerning a claim brought pursuant to the Medical Malpractice Act. Requires notice to the Superintendent of, and opportunity for the Superintendent to intervene in, any settlement in district court that may result in payment from the Patient's Compensation Fund.

**Bill:** [SB176](#)

**Sponsors:** Hickey (D20)

**Title:** LIMITS ON MEDICAL MALPRACTICE PUNITIVE DAMAGE AWARDS AND ATTORNEY FEES

**Summary:** Relates to medical malpractice; requires 75% of punitive damage awards in medical malpractice claims to be awarded to the state and 25% of the punitive damage award to be awarded to the prevailing party; limits attorney fees; creates the Patient Safety Improvement Fund to be administered by the Department of Health (DOH); requires payments from Patient's Compensation Fund to be made as expenses are incurred. Makes an appropriation.

# Other topics/Monitoring

- Anti-donation clause  
Constitutional  
Amendment
- IPRA Bills
- Housing Bills
- Broadband Bills

# Other Topics

**Bill:** [SB144](#)

**Sponsors:** Gonzales (D6)

**Title:** AFFORDABLE HOUSING ACT FUNDING

**Summary:** (Endorsed by the Mortgage Finance Authority Act Oversight Committee) Provides \$500,000 (GF) to the Department of Finance and Administration (DFA) for use in FY2026 and subsequent FYs for the Authority to carry out purposes of the Affordable Housing Act.

**Bill:** [HB27](#)

**Sponsors:** Cates (D44); Pope (D23); Anaya (D18); Johnson (D5)

**Title:** LIBRARIAN PROTECTION ACT: NO BOOK BANNING

**Summary:** (Very similar to 2024 HB123) A public library shall not be eligible to receive state funds unless the library adopts and complies with the 2019 American Library Association Library Bill of Rights or adopts a written policy against banning books or other materials on the basis of partisan or doctrinal disapproval or the author's race, nationality, gender identity, sexual orientation or political or religious views. No political subdivision of the state may reduce funding for a public library that adopts such a policy.

**Bill:** [HB139](#)

**Sponsors:** Cates (D44)

**Title:** INSPECTION OF PUBLIC RECORDS ACT

**Summary:** Significant and notable changes are made to almost the entirety of the Inspection of Public Records Act. Public bodies are required to appoint custodians to oversee requests for public documents, create procedures for documents and information that include electronic records, and the inspection of records. Provision is made for cost recovery; limits obligation to create and maintain records; specifies general exemptions from disclosure and exemptions for specific types of records. Provides relief for public bodies from "vexatious" requesters. Provides for enforcement. Includes 42 new and restated definitions.

# Other Topics

**Bill:** [SB126](#)

**Sponsors:** Padilla (D14)

**Title:** INCREASE FUNDS FOR BROADBAND PROGRAM

**Summary:** Increases the annual distribution from the State Rural Universal Service Fund to the broadband program from \$30 million to \$40 million, less certain statutory expenses. Increases the cap on obligations of the State Rural Universal Service Fund (plus administrative expenses and a prudent fund balance) from \$30 million to \$40 million.

**Bill:** [HJR11](#)

**Sponsors:** Cates (D44)

**Title:** CA: REPEAL ANTI-DONATION CLAUSE; PUBLIC PURPOSE DONATIONS ALLOWED

**Summary:** Proposes to repeal Art. 9, Sec. 14 of the state constitution, the Anti-Donation Clause, and Art. 4, Sec. 31, prohibiting charitable, educational, and benevolent appropriations to a person or entity not under full control of the state. Replaces these provisions with a simpler approach: the state, a county, school district, or municipality may make donations of public funds to private persons or entities if the donation is used to accomplish a public purpose, i.e., for the benefit of the public health, safety or welfare. Requires implementing legislation for such donations.

# Capital Outlay

- ICIP
- Prioritizing
- Submitting legislative forms/Governor's form
- More information to
  - Legislators
  - Governor
  - Committees
- Appropriations