



*New Mexico Municipal League*

## LEGISLATIVE BULLETIN

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### **BILLS ON THE MOVE**

The second week of the 30-day legislative session saw a number of bills begin to move through committees. A League-supported bill to distribute more funding to law enforcement agencies passed its first committee, while we continue to build support for our other key 2022 bill – restoring cities’ local share of state GRT – in anticipation of the bill being heard in its first committee on Tuesday. House and Senate committees also heard several “headline” bills, including House Bill 4, incentivizing development of hydrogen facilities in the state, and Senate Bill 5, which reduces the state GRT rate.

The hearing on the Hydrogen Hub Development Act (HB4) bill saw nearly six hours of debate, including testimony from the business community, environmental advocates, local leaders, and citizens from across the state. The bill was tabled, leaving its future uncertain. SB5, which reduces the GRT rate by one-quarter percent, was discussed in the Senate Tax, Business and Transportation Committee, although the committee decided to wait to hear more tax bills before taking a vote. Reducing the state GRT rate would not directly impact cities’ GRT rates or revenues. However, the League has concerns about projections from the bill’s fiscal impact report identifying nearly \$3 million annually in revenue loss for some municipalities, resulting from a decrease in the statewide compensating tax rate, which would impact the Small Cities Assistance Fund. The League is also very concerned about possible amendments to the bill that could impose a five-year moratorium on enactment of local GRT increments, which would severely restrict cities’ ability to raise revenue. For example, we worry about a scenario in which cities could struggle to maintain and staff new, federally funded infrastructure. If you have any thoughts or concerns on this issue, we’d like to hear from you.

House and Senate finance committees spent much of the week holding agency budget hearings. The House Appropriations and Finance Committee will release its detailed version of House Bill 2, the General Appropriations Act, in the coming days, with a vote in the House likely to take early next week (HAFC’s current recommendations can be found in House Bill 107).

The deadline for new bill introductions is Wednesday, February 2.

The 30-day regular session (Second Session of the 55<sup>th</sup> Legislature) runs through February 17.

Your legislator can be reached by name through the legislative switchboard: (505)-986-4300 in Santa Fe. The Legislature’s website ([www.nmlegis.gov](http://www.nmlegis.gov)) also contains legislators’ contact information. You can also check the League’s website ([www.nmml.org](http://www.nmml.org)) for other League information.

See page 12 for a summary of how legislation is passed in New Mexico.

## League Priority Legislation:

**Senate Bill 3 (Enhancing Death Benefits for Law Enforcement)** passed the Senate Health and Public Affairs Committee unanimously. We were pleased to see strong support for the bill, which increases distributions to law enforcement agencies, including municipal police departments, from the Law Enforcement Protection Fund. The bill increases funding from \$45,000 to \$95,000 per department and from \$1,000 to \$1,500 per officer. Increased funding can be used for critical training and equipment needs. The bill also increases death benefits from \$250,000 to \$1 million for surviving spouses, children, and parents of officers killed in action, better aligning with the costs of raising children and replacing lost income.

SB3 will be heard next in the Senate Finance Committee. House Bill 141, a duplicate bill sponsored by Representatives Meredith Dixon and Doreen Gallegos, was also filed this week. HB141 has been referred to the House Rules Committee. *See attached briefing sheet for HB141.*

Our other key League-supported bill, **Senate Bill 137 (Distribute Part of GRT on Services to Munis)**, will be heard on Tuesday in the Senate Tax, Business and Transportation Committee (we will share information on how to provide public testimony on the bill). We're continuing to meet with legislators to build support for this important bill. HB137 restores cities' local share of state GRT on sales of services, an important source of municipal revenue. Historically, cities have received 1.225% - approximately one-quarter of the state GRT rate of 5.125% - of net receipts from sellers within a city. As an unintended consequence of moving to destination sourcing as part of House Bill 6 (2019), cities no longer receive their local share of state GRT on sales to buyers outside the city – even when the seller is in the city. Instead, the state now retains that money. Unfortunately, there was no policy discussion of this revenue impact, and the revenue loss was not clearly identified in fiscal impact reviews of the bill. We believe that this revenue belongs with cities. Cities provide infrastructure, services, and economic development for businesses operating within city limits, and the local distribution allows cities to provide adequate services for local businesses.

We strongly support SB137, which would restore the local distribution on nearly all sales of services in a city, regardless of whether the buyer is in the city or not. This bill provision would not reverse destination-based sourcing, so would not affect tax rates or taxes paid by buyers or sellers, nor would it affect county revenues.

The bill has also been referred to the Senate Finance Committee. SB137 is sponsored by Senators Gay Kernan and Roberto "Bobby" Gonzales.

## Other Substantive Legislation:

- **House Bill 62**, introduced by Representatives Meredith Dixon, Susan Herrera, and Christine Chandler, passed the House Government, Elections, and Indian Affairs Committee unanimously. HB62 would create a Grant Opportunities Council within the Department of Finance and Administration to assist DFA in identifying, securing, and tracking federal and other grants, including supporting local governments in obtaining grants. The bill would also create a matching grants fund, with a \$1 million annual appropriation to help municipalities and counties meet match requirements for grants, with priority for rural and frontier communities. The bill will be heard next in the House Appropriations and Finance Committee. The League hopes to see continued support for the bill.
- **House Bill 86**, creating the Law Enforcement Retention Fund, also passed the House Government, Elections, and Indian Affairs Committee unanimously. The fund would provide one-time retention differential payments to law enforcement officers, including municipal police officers, equivalent to 5 percent of their annual salary on five-year intervals. The League supports this effort to address staffing shortages facing many of our local police departments. HB86 is sponsored by Representatives Meredith Dixon, Meredith A. Dixon, Natalie Figueroa,

Marian Matthews, T. Ryan Lane, and Randal S. Crowder. The bill will be heard next in the House Appropriations and Finance Committee.

- The League is also supportive of a proposed \$50 million General Obligation Bond – the “**Land of Enchantment Bond**” – that would make bonding capacity available for a number of statewide conservation, restoration, economic development, and water quality programs. GO bonds would provide funding for six state agencies to direct to existing programs. Examples of programs that could receive funding include forest and watershed restoration to reduce wildfire risk, water quality and stream habitat improvement, outdoor recreation development grants, and soil health improvement grants. If approved, bonding capacity could be used for these types of programs, in addition to existing approved uses to fund capital projects for senior citizen facilities, libraries, and higher education institutions. Bonds must be approved by voters at the next General Election. The League believes that using bonding capacity for these new categories could provide more stable, long-term funding for projects with potential to provide significant benefits to local communities.
- **House Bill 81**, sponsored by Representative Micaela Cadena, limits courts’ ability to assess some fines, fees, and costs associated with criminal convictions. For municipal courts, judges would be limited to assessing and collecting certain fees only once, for each case resulting in conviction. These provisions would likely have a revenue impact on municipal court operations, warranting further examination.
- Two bills take differing approaches to retaining “hold harmless” distributions for some municipalities, or payments compensating local governments for lost GRT revenue from exemptions on food and medical sales beginning in 2005. **Senate Bill 27**, introduced by Senator Ron Griggs, allows cities under 10,000 that did not enact hold harmless increments to retain maximum distributions. All other cities would continue to receive 50% of the maximum distribution. **Senate Bill 26**, introduced by Senator Benny Shendo, would allow certain municipalities to retain some or all of their hold harmless distributions, with smaller cities, cities with higher poverty rates, and cities that did not enact hold harmless GRT increments receiving higher distributions. Cities that don’t meet criteria in the bill would continue to see their hold harmless distributions phased out gradually, per existing statute.
- Two election bills – **Senate Bill 6** and **Senate Bill 8** – would make a number of changes to the state’s election code. Notably, SB6, sponsored by Senator Daniel Ivey-Soto and several other senators, would require candidates in a regular local election to submit a nominating petition with at least ten signatures or pay a \$50 filing fee. SB8, sponsored by Senator Peter Worth and others, would allow 16-year-olds to vote in local elections, special local elections, or municipal elections. Allowing younger residents to vote represents a significant change that likely requires more scrutiny.

## Legislation to Watch (as of January 28, 2022)

Bill No.	Primary Sponsor	Bill Name	Bill Summary	Actions
HB 2	Lundstrom, Patricia A	GENERAL APPROPRIATION ACT OF 2022	Abbreviated budget bill (11 pages) broadly appropriates \$8,344,040.7k from the General Fund for legislative, judicial, general government, higher education & public education expenditures in FY23.	[2] HAFC-HAFC
HB 4	Lundstrom, Patricia A	HYDROGEN HUB DEVELOPMENT ACT	House Bill 4 (HB 4) enacts the Hydrogen Hub Development Act which provides for the designation of hydrogen hubs and allows public partners to enter into public-private partnership agreements to facilitate development of hydrogen hub projects. It creates the Hydrogen Hub Development Board and specifies its powers and the additional duties of the New Mexico Finance Authority and the Department of Energy. HB 4 creates the Hydrogen Hub Project Fund and establishes criteria for approval of hydrogen hub projects. It establishes the Hydrogen Production and Energy Generation Income Tax Credit, the Hydrogen Production and Energy Generation Corporate Income Tax Credit, and Gross Receipts and Compensating Tax deductions for hydrogen-related sales and use. HB 4 amends definitions in the Rural Electric Cooperative Act and the Renewable Energy Act. HB 4 declares an emergency.	[4] HENRC/HTRC-HENRC
HB 6	Small, Nathan	CLEAN FUTURE ACT	House Bill 6 (HB 6) enacts the Clean Future Act and new sections of the Air Quality Control Act and provides powers and duties. HB 6 establishes greenhouse gas emissions limits. It directs the Environmental Improvement Board to adopt rules to reduce greenhouse gas emissions and directs the assessment of fees. It creates a fund and makes an appropriation.	HPREF [2] HENRC/HGEIC-HENRC
HB 7	Dixon, Meridith	OPPORTUNITY ENTERPRISE ACT	House Bill 7 (HB 7) adds new material that creates the Opportunity Enterprise Act in Public Finance; authorizes the New Mexico Finance Authority to provide for and establish terms for financing, loans and leases; creates the Opportunity Enterprise Revolving Fund; transfers excess revenue to the General Fund; creates and provides powers and duties for the Opportunity Enterprise Review Board; and requires reports.	[2] not prntd-HRC-germane-prntd- - ref HCEDC/HAFC-HCEDC
HB 11	Sarinana, Debra Mari	ENERGY STORAGE SYSTEM TAX CREDIT	House Bill 11 creates the Energy Storage System Income Tax Credit and provides for fee imposition, annual reporting, and website functions by the Taxation and Revenue Department and the Energy, Minerals, and Natural Resources Department (EMNRD). HB 11 appropriates collected fees to EMNRD and repeals the credit after two years. HB 11 is referred to the Science, Technology and Telecommunications Committee.	HPREF [2] HENRC/HTRC-HENRC [4] DP/a-HTRC
HB 14	Chandler, Christine	BONDS & GRT DEDUCTION FOR ELECTRIC STORAGE	House Bill 14 (HB 14) amends Industrial Revenue Bond (IRB) Act and the County IRB Act to make electric energy storage facilities eligible for revenue bond funding. HB 14 exempts the sale of energy storage equipment to government entities from Gross Receipts Tax.	HPREF [2] HENRC/HTRC-HENRC
HB 32	Trujillo, Christine	FEMININE HYGIENE PRODUCT GROSS RECEIPTS	House Bill 32 (HB 32) relates to taxation. HB 32 provides gross receipts tax and governmental gross receipts tax deductions for feminine hygiene products. HB 32 requires annual reporting. The provisions of this act are effective July 01, 2022.	HPREF [2] HHHC/HTRC-HHHC [3] DP-HTRC
HB 33	Ferrary, Joanne	CIGARETTE AND TOBACCO PRODUCTS TAX	House Bill 33 (HB 33) increases the cigarette tax from 10 cents to 20 cents a cigarette, increases the tax on tobacco products, includes nicotine in the definition of tobacco product, and decreases the distribution of cigarette taxes.	HPREF [2] HHHC/HTRC-HHHC
HB 34	Ferrary, Joanne	SOLAR MARKET DEVELOPMENT TAX CREDIT EXTENSION	House Bill 34 (HB 34) makes three changes to the New Solar Market Development Income Tax Credit: extends the credit by four additional years; doubles the aggregate credit cap to \$16 million; and makes the credit refundable to taxpayers.	HPREF [2] HENRC/HTRC-HENRC [4] DP-HTRC
HB 39	Gallegos, Doreen Y	GRT DEDUCTION FOR NONATHLETIC SPECIAL EVENTS	House Bill 39 (HB 39) extends the deduction from gross receipts and governmental gross receipts for nonathletic special events at post-secondary educational institutions.	HPREF [2] HEC/HTRC-HEC [3] DP-HTRC
HB 41	Herrera, Susan K	WATER TRUST FUND	House Bill 41 (HB 41) appropriates sixty million dollars (\$60,000,000) to the Water Trust Fund.	HPREF [2] HAAWC/HAFC-HAAWC

HB 42	Herrera, Susan K	PUBLIC PROJECT REVOLVING FUND PROJECTS	House Bill 42 (HB 42) authorizes loans for various public projects from the Public Project Revolving Fund. This bill has an emergency clause, to take effect immediately.	HPREF [2] not prntd-HRC-germane-prntd- - ref HAFC-HAFC
HB 47	Chandler, Christine	EXCLUDE HOME HEALTH CARE FROM DSB SOURCING	House Bill 47 (HB 47) exempts personal care services, home health care, and hospice care from Gross Receipts Tax when the service occurs in the state (destination sourcing) and declares an emergency.	HPREF [2] HHHC/HTRC-HHHC [3] DP/a-HTRC
HB 48	Brown, Cathrynn N	EXEMPT SOCIAL SECURITY INCOME FROM INCOME TAX	House Bill 48 (HB 48) exempts Social Security benefits from state income tax. HB 48 prohibits taxpayers from claiming both the over 65 and blind exemption and the proposed Social Security exemption.	HPREF [2] HLVMC/HTRC-HLVMC
HB 49	Armstrong, Gail "Missy"	EXEMPT SOCIAL SECURITY INCOME FROM INCOME TAX	House Bill 49 (HB 49) gradually exempts 100% Social Security benefits from state income tax over six years in 20% increments. HB 49 prohibits taxpayers from claiming both the over 65 and blind exemption and the proposed Social Security exemption.	HPREF [2] HCPAC/HTRC-HCPAC
HB 50	Anderson, Phelps	PUBLIC RETIREES RETURNING TO WORK	House Bill 50 (HB 50) relates to public employee retirement. HB 50 allows public employees to return to work for affiliated public employers under certain conditions.	HPREF [2] HLVMC/HJC-HLVMC
HB 62	Dixon, Meridith	GRANT OPPORTUNITIES COUNCIL	House Bill 62 (HB 62) creates the Grant Opportunities Council which advises the Department of Finance and Administration on grant matters and creates the Grants Matching Fund which allows grants for projects that provide services to rural and smaller communities. HB 62 appropriates \$1,000,000 to help political subdivisions meet grant matching requirements.	HPREF [2] HGEIC/HAFC-HGEIC [4] DP-HAFC
HB 67	Chandler, Christine	TECH READINESS GROSS RECEIPTS TAX CREDIT	House Bill 67 (HB 67) extends the Technology Readiness Gross Receipts Tax Credit and repeals the tax credit fund.	HPREF [2] HCEDC/HTRC-HCEDC [3] DP-HTRC
HB 69	Dixon, Meridith	CREATING THE CRIME OF OPERATING A CHOP SHOP	House Bill 69 (HB 69) creates the crime of operating a chop shop, the crime of criminal damage to property by theft or attempted theft of regulated material, and prohibits a secondhand metal dealer from purchasing or receiving regulated material.	HPREF [2] HCPAC/HJC/HAFC-HCPAC [3] DP-HJC
HB 71	McQueen, Matthew	LIMIT PROPERTY TAX VALUATION INCREASE	House Bill 71 (HB 71) proposes that beginning in 2024, a principal residence's property tax valuation is limited to a 3% increase in one year. HB 71 limits property tax of a residence that is not a primary residence to 10%.	HPREF [2] HCPAC/HTRC-HCPAC
HB 72	McQueen, Matthew	SPACE TICKET GROSS RECEIPTS	House Bill 72 (HB 72) clarifies that ticket sales or services to transport people into or near space are not deducted from Gross Receipts Tax in certain cases.	HPREF [2] HCEDC/HTRC-HCEDC
HB 75	Roybal Caballero, Patricia	PUBLIC BANKING ACT	House Bill 75 (HB 75) relates to public finance. HB 75 enacts the Public Banking Act. HB 75 creates the Public Bank of New Mexico. HB 75 establishes a Board of Directors and the structure of the Public Bank of New Mexico. HB 75 provides duties. HB 75 permits certain investments. HB 75 prohibits conflicts of interest. HB 75 creates the State Banking Fund. HB 75 requires the State Treasurer to deposit and maintain a certain amount of public money in the Public Bank of New Mexico. HB 75 provides penalties. HB 75 makes an appropriation.	HPREF [2] HCEDC/HAFC-HCEDC
HB 76	Anderson, Phelps	MILITARY RETIREMENT INCOME TAX EXEMPTION	House Bill 76 (HB 76) proposes an Income Tax Exemption of military retirement pay not to exceed \$30,000.	HPREF [2] HLVMC/HTRC-HLVMC [3] DP-HTRC
HB 78	Roybal Caballero, Patricia	CAP ON CERTAIN INTEREST RATES	House Bill 78 (HB 78) relates to lending. HB 78 imposes a cap on interest rates. HB 78 voids contracts that exceed the interest rate cap. HB 78 lowers the maximum annual percentage rate for loans pursuant to the New Mexico Bank Installment Loan Act of 1959 and the New Mexico Small Loan Act of 1955.	HPREF [2] not prntd-HRC
HB 81	Cadena-Lara, Micaela L	FINE, FEE & COST PAYMENT FLEXIBILITY	House Bill 81 (HB 81) provides flexibility for the payment of fines, fees and costs associated with convictions, and expands community service options.	[2] HCPAC/HJC-HCPAC
HB 86	Dixon, Meridith	LAW ENFORCEMENT RETENTION FUND	House Bill 86 (HB 86) relates to law enforcement. HB 86 creates the Law Enforcement Retention Fund. HB 86 provides a retention differential disbursement to certain law enforcement officers. HB 86 provides reporting requirements. HB 86 makes an appropriation.	[2] HGEIC/HAFC-HGEIC [4] DP-HAFC

HB 100	Lane, T. Ryan	CERTAIN PEACE OFFICER SURVIVOR'S BENEFITS	House Bill 100 (HB 100) relates to law enforcement. HB 100 increases the amount of Peace Officers', New Mexico Mounted Patrol Members' and Reserve Police Officers' Survivors Supplemental Death Benefits. HB 100 increases the minimum balance of the Peace Officers', New Mexico Mounted Patrol Members' and Reserve Police Officers' Survivors Fund.	[2] not prntd-HRC
HB 105	Rehm, William	PUBLIC RETIREES RETURNING TO WORK	House Bill 105 (HB 105) relates to public employee retirement. HB 105 allows public employees to return to work for affiliated public employers under certain conditions.	[2] not prntd-HRC [4]germane-prntd- - ref HLVMC/HJC-HLVMC
HB 107	Small, Nathan	GENERAL APPROPRIATION ACT OF 2022	SB154 appropriates in detail nearly \$8.5 million (\$8,446,239.7k) from the General Fund for legislative, judicial, general government, higher education and public education for FY23, which would be a 13.7% increase from the FY22 budget. The appropriations in this 219-page bill represent the LFC's FY23 budget recommendations.	[2] HAFC-HAFC
HB 123	Dow, Rebecca	FACE MASK SALE GROSS RECEIPTS	House Bill 123 (HB 123) exempts face masks from Gross Receipts Tax when sold during a public health emergency. HB 123 declares an emergency.	[4] HCPAC/HTRC-HCPAC
HB 132	Herrera, Susan K	INTEREST RATES FOR CERTAIN LOANS	House Bill 132 (HB 132) relates to financial institutions. HB 132 changes the permitted percentage rates for loans pursuant to the New Mexico Bank Installment Loan Act of 1959 and the New Mexico Small Loan Act of 1955. HB 132 requires a license for certain lenders. HB 132 changes certain reporting requirements. HB 132 requires notice. HB 132 makes an appropriation.	[4] HCPAC/HJC-HCPAC
HB 141	Dixon, Meridith	ENHANCE LAW ENFORCEMENT DEATH BENEFITS	House Bill 141 (HB 141) relates to law enforcement. HB 141 enhances death benefits for peace officers, New Mexico Mounted Patrol Members and Reserve Police Officers. HB 141 changes distributions from the Law Enforcement Protection Fund.	[2] not prntd-HRC
HB 153	Chandler, Christine	GENERAL OBLIGATION BOND PROJECTS	House Bill 153 (HB 153) issues Capital Projects General Obligation Bonds (GO Bonds) for senior citizen facilities, construction, libraries, higher education institutions, state schools, and tribal schools. HB 153 provides for a property tax levy to repay the bonds. HB 153 requires approval by voters at the 2022 General Election and declares an emergency.	[3] HTRC-HTRC
HJR 2	Ferrary, Joanne	ENVIRONMENTAL RIGHTS, CA	House Joint Resolution 0002 (HJR 2) proposes to amend the NM Constitution by adding a new section to Article 2 that provides the people of the state with environmental rights and directs the state to protect environmental resources for the benefit of all the people. It repeals the current pollution control provisions of Article 20, Section 21 of the NM Constitution.	HPREF [2] HENRC/HJC-HENRC
HJR 5	Dixon, Meridith	PRIMARY ELECTION VOTING ELIGIBILITY, CA	House Joint Resolution 5 (HJR 5) proposes to amend Article 7 of the state constitution to allow voters who have not selected a party affiliation to vote in the primary election of any political party and allows political parties the option of allowing only party members to participate in their nomination process only if the party pays the costs of that process.	HPREF [2] HGEIC/HJC-HGEIC
HM 3	Serrato, Linda	PAID FAMILY AND MEDICAL LEAVE TASK FORCE	House Memorial 3 (HM 3) calls for a task force to be convened by the Workforce Solutions Department to recommend legislation for paid family and medical leave, including the establishment of a paid family and medical leave trust fund.	HPREF [2] HLVMC-HLVMC
HM 11	Cadena-Lara, Micaela L	STUDY UNIFIED JAIL & PRISON SYSTEM	House Memorial 11 (HM 11) calls for a task force to be convened by the New Mexico Association of Counties to study the feasibility of transitioning individual county detention centers to a unified jail and prison system.	[2] HGEIC-HGEIC [3] DP/a-T
SB 3	Munoz, George K	ENHANCING DEATH BENEFITS FOR LAW ENFORCEMENT	Senate Bill 3 (SB 3) relates to law enforcement. SB 3 enhances death benefits for peace officers, New Mexico Mounted Patrol Members, and reserve police officers. SB 3 changes distributions from the Law Enforcement Protection Fund.	[1] SCC/SHPAC/SFC-SCC-germane-SHPAC [4] DP/a-SFC
SB 4	Duhigg, Katy	PREVAILING WAGE AND FRINGE BENEFIT RATES	Senate Bill 221238 (SB 221238) amends Minimum Wages on Public Works to specify the determination date and implementation date for prevailing wage and fringe benefit rates. SB 221238 also provides the an appeal will not stay the rate implementation unless modified by a final decision of the Labor and Industrial Commission or final judgment of a district court.	[1] SCC/SHPAC/SJC-SCC [2]germane-SHPAC [4] DP-SJC

SB 5	Gonzales, Roberto "Bobby"	REDUCING RATES OF GROSS RECEIPTS TAX	Senate Bill 5 (SB 5) reduces Gross Receipts and Compensating Tax (CRT) rates from 5.125 to 4.875 and defines what a disclosed agency is in GRT Act.	[1] SCC/STBTC/SFC-SCC [2]germane-STBTC
SB 6	Ivey-Soto, Daniel A	ELECTION SECURITY & ADMINISTRATION	Senate Bill 6 (SB 6) makes numerous changes to election laws and other laws, appropriates \$300,000 to the Secretary of State office to support elections security, repeals numerous sections of law, and has an emergency clause, to take effect immediately.	[4] SCC/SRC/SFC-SCC-germane-SRC [5] DP/a-SFC
SB 8	Wirth, Peter	VOTERS' RIGHTS PROVISIONS	Senate Bill 8 (SB 8) relates to elections and includes changes such as creating a nominating petition electronic signature pilot program, allowing 16 year-olds to vote in local elections, allowing same day voter registration, amending voter rights of felons, creating procedures for monitored secured containers for ballots, enacting the Native American Voting Rights Act, and providing rules for presidential electors.	[4] SCC/SRC/SFC-SCC [5]germane-SRC
SB 14	Stewart, Mimi	ENACTING THE CLEAN FUEL STANDARD ACT	Senate Bill 14 (SB 14) enacts the Clean Fuel Standard Act that provides for the establishment of a clean fuel standard for transportation fuels, the assessment of an annual registration fee, and the creation of the Clean Fuel Standard Fund. SB directs the state Environmental Improvement Board to promulgate rules to implement the Clean Fuel Standard Act and makes an appropriation.	[1] SCC/STBTC/SFC-SCC [2]germane-STBTC
SB 17	Ingle, Stuart	AUTHORIZATION FOR CERTAIN WATER PROJECTS	Senate Bill 17 (SB 17) authorizes the New Mexico Finance Authority to make loans or grants from the Water Project Fund for certain water projects and declares an emergency. SB 17 declares an emergency. The NM Finance Authority Oversight Committee requested the introduction of SB 17.	[1] SCC/SCONC/SFC-SCC [2]germane-SCONC [4] DP-SFC
SB 18	Stefanics, Elizabeth "Liz"	APPROPRIATION TO THE WATER TRUST FUND	Senate Bill 18 (SB 18 ) appropriates fifty million dollars (\$50,000,000) to the Water Trust Fund	[1] SCC/SCONC/SFC-SCC [2]germane-SCONC [4] DP-SFC
SB 19	Rodriguez, Nancy	NEW MEXICO HOUSING TRUST FUND	Senate Bill 19 (SB 19) makes a recurring appropriation starting in FY2023, from the General Fund to the New Mexico Housing Trust for the New Mexico Mortgage Finance Authority to carry out the provisions of the New Mexico Housing Trust Act.	[1] SCC/SHPAC/SFC-SCC [2]germane-SHPAC [4] DP-SFC
SB 21	Tallman, Bill	ELECTRIC VEHICLE INCOME TAX CREDIT	Senate Bill 21 (SB 21) relates to electric motor vehicles and the environment. SB 21 creates the Electric Vehicle Income Tax Credit. SB 21 creates the Electric Vehicle Charging Unit Income Tax Credit. SB 21 requires an additional registration fee for electric and plug-in hybrid vehicles. SB 21 provides for an additional registration fee to be distributed to the State Road Fund and the Local Governments Road Fund.	[1] SCC/STBTC/SFC-SCC [2]germane-STBTC
SB 26	Shendo, Benny	HOLD HARMLESS DISTRIBUTIONS	Senate Bill 26 (SB 26) permits certain municipalities to retain hold harmless distributions for food and health care practitioner services. SB 26 clarifies that some local governments are exempt from the phased out distributions if they did not implement a hold harmless Gross Receipts Tax on June 30, 2019.	[1] SCC/STBTC/SFC-SCC [2]germane-STBTC
SB 27	Griggs, Ron	LOCAL GOVERNMENTS HOLD HARMLESS DEDUCTIONS	Senate Bill 27 (SB 27) keeps the hold harmless distribution permanent at 50% for certain local governments.	[1] SCC/STBTC/SFC-SCC [2]germane-STBTC
SB 30	Jaramillo, Leo	REGIONAL TRANSIT GRT DISTRIBUTIONS	Senate Bill 221127 addresses gross receipts tax distributions to regional transit districts. SB 221127 provides that revenue from a regional transit gross receipts tax imposed by a county be distributed directly to the district.	[1] SCC/STBTC/SFC-SCC-germane-STBTC [4] DP-SFC
SB 37	Rodriguez, Nancy	PUBLIC PROJECT REVOLVING FUND APPROPRIATIONS	Senate Bill 37 (SB 37) makes non-reverting appropriations from the Public Project Revolving Fund to the Drinking Water State Revolving Loan Fund, the Wastewater Facility Construction Loan Fund, and the Cultural Affairs Facilities Infrastructure Fund.	[1] SCC/SCONC/SFC-SCC-germane-SCONC [4] DP-SFC
SB 39	Shendo, Benny	PROCUREMENT PREFERENCES CHANGES	Senate Bill 39 (SB 39) relates to procurement. SB 39 increases the preference for New Mexico resident businesses and contractors. SB 39 eliminates the time limitation for special preferences for New Mexico resident veteran businesses and resident veteran contractors. SB 39 provides for a preference for New Mexico Native American resident and resident veteran businesses and contractors.	[1] SCC/SIRC/STBTC-SCC [4]germane-SIRC

SB 42	Padilla, Michael	UTILITY EASEMENTS FOR BROADBAND ACT	Senate Bill 42 (SB 42) enacts the Utility Easements for Broadband Act (UEFBA) that authorizes the use and sharing of utility easements for the provision of communications service throughout the state. It requires notice to the property owner; provides for optional recording of such notice; establishes claims pursuant to the use of utility easements; allows cost recovery for communications infrastructure projects; and provides definitions.	[1] SCC/STBTC/SJC-SCC
SB 44	Soules, William	NEW SOLAR MRKT DEV INCOME TAX CREDIT CHANGES	Senate Bill 44 (SB 44) makes three changes to the New Solar Market Development Income Tax Credit: extends the credit by four additional years; doubles the aggregate credit cap to \$16 million; and makes the credit refundable to taxpayers.	[1] SCC/STBTC/SFC-SCC-germane-STBTC
SB 45	Pope, Harold James	VETERAN BUSINESS & CONTRACTOR PROCUREMENT	Senate Bill 221815 (SB 221815) repeals a section of Public Purchases and Property addressing procurement, which makes permanent the certification of a resident veteran business and resident veteran contractor.	[1] SCC/SHPAC/STBTC-SCC [4]germane-SHPAC
SB 47	Steinborn, Jeff	SUBSTANCE USE DISORDER TREATMENT FUND	SBXX creates the Substance Use Disorder Treatment Fund. A distribution of 10% of the net receipts from the Cannabis Excise Tax will be distributed to this new fund. The fund shall be administered by the Human Services Department for use in providing statewide substance use disorder treatment.	[1] SCC/SHPAC/SFC-SCC
SB 48	Munoz, George K	GEN APPROPRIATIONS AND AUTH EXPENDITURES	Senate Bill 48 (SB 48) makes general appropriations to and authorizes expenditures by the Legislative Council Service, the Fifth Judicial District Court, the Development Training Fund, the Cumbres and Toltec Scenic Railroad Commission, the Interstate Stream Commission, the Early Childhood Education and Care Department, the Workforce Solutions Department, the Department of Public Safety, the Higher Education Department, the University of New Mexico, and NM Institute of Mining and Technology,	[1] SCC/SFC-SCC-germane-SFC
SB 49	Tallman, Bill	EXEMPT SOCIAL SECURITY FROM INCOME TAX	Senate Bill 49 (SB 49) increases the cigarette tax from 10 cents to 15 cents a cigarette, increases the tax on tobacco products, includes nicotine in the definition of tobacco product, decreases the distribution of cigarette taxes, and exempts social security income from income tax for certain individuals.	[1] SCC/STBTC/SFC-SCC-germane-STBTC
SB 51	Tallman, Bill	CREATE PUBLIC WORKS COMMISSION	Senate Bill 51 (SB 51) creates a 12-member Public Works Commission (PWC) appointed by the legislature and will proportionally represent political parties. Four public members with expertise in architecture or engineering will also be appointed. SB 51 directs the speaker of the house and the committee's committee or the president pro tem to select the PWC's chair and vice chair, and to remove a member for nonattendance. Majority approval is required for any action. SB 51 appropriates \$335,000 in recurring funds to PWC to meet the bill's provisions.	[1] SCC/SRC/SFC-SCC
SB 60	Padilla, Michael	FILM COMPANY SECURITY GROSS RECEIPTS	Senate Bill 221464 (SB 221464) enacts a new section of the Gross Receipts Compensating Tax Act to provide a Gross Receipts Tax Deduction for security services sold to a film production company to take effect in July of 2022.	[1] SCC/STBTC/SFC-SCC [4]germane-STBTC
SB 61	Steinborn, Jeff	LOBBYIST REPORT CHANGES	Senate Bill 61 (SB 61) adds a new section to the Lobbyist Regulation Act requiring post-session reports on what legislation a lobbyist or lobbyist's employer lobbied and amends Section 2-11-7 NMSA 1978.	[1] SCC/SRC/SHPAC-SCC
SB 69	Tallman, Bill	JOB CREATION REPORTING REQUIREMENTS	Senate Bill 69 (SB 69) relates to economic development. SB 69 requires receipts of public support from the state pursuant to the Local Economic Development Act to report job creation and capital investment information. SB 69 requires the Taxation and Revenue Department to compile and present a tax expenditure budget and analyses of certain tax expenditures to the Governor and the legislative committees. SB 69 makes a nonrecurring appropriation in FY2023.	[1] SCC/STBTC/SFC-SCC
SB 74	Steinborn, Jeff	LOBBYIST DEFINITIONS	Senate Bill 74 (SB 74) amends the Lobbyist Regulation Act by defining "advertising campaign" and requiring lobbyists to report compensation received for lobbying. It makes technical changes to the advertising campaign reporting requirements.	[1] SCC/SRC/SJC-SCC
SB 76	Gonzales, Roberto "Bobby"	RURAL AIR SERVICE CHANGES	SB76 relates to aviation by amending the Rural Air Service Enhancement Act to broaden eligibility for Rural Air Service Enhancement Grants, temporarily reserving a portion of the Rural Air Service Enhancement Fund for eligible applicants with new or expanded air routes to be used by aircraft with a capacity of not more	[1] SCC/STBTC/SFC-SCC

			than nine persons. An appropriation is included in this Act.	
SB 98	Padilla, Michael	CYBERSECURITY ACT	SB 98 relates to cybersecurity by enacting the Cybersecurity Act and establishing the Cybersecurity Office, creating the Cybersecurity Advisory Committee, establishing the Intragovernmental Cybersecurity Coordinating Committee, creating the State Chief of Information Security and Chief Information Security Officers for the Administrative Office of the Courts, and the Legislative Council Services, providing powers and duties , requiring rulemaking and reports, making appropriations, and declaring an emergency.	[1] SCC/SRC/SFC-SCC
SB 99	Jaramillo, Leo	STATE TRANSIT FUND	: SB99 relates to transportation by creating the State Transit Fund by allowing money in the fund to provide up to fifty percent of matching funds for public transit agencies and making an appropriation.	[1] SCC/STBTC/SFC-SCC
SB 100	Lopez, Linda M.	CANNABIS REGULATION	SB 100 proposes numerous amendments to the Cannabis Regulation Act. The proposed changes include specifying the process for criminal history checks, providing mandatory minimum training requirements for licensees and their employees, prohibiting the sale of cannabis and alcohol at the same location, providing for a joint powers agreement between the Cannabis Control Division (CCD) and the New Mexico Environment Department (NMED) so manufacturing facilities producing edibles can be inspected, and allowing non-profit cannabis corporations to dissolve and transfer their assets if they're incorporating as a for-profit corporation.	[1] SCC/STBTC/SJC-SCC [4]germane-STBTC
SB 102	Tallman, Bill	PERA BOARD MEMBER CHANGES	Senate Bill 102 (SB 102) reduces the membership and changes the composition of the Public Employees Retirement Board and provides requirements for certain retirement board members.	[1] SCC/SRC/SJC-SCC
SB 107	Soules, William	INSTALLMENT LOAN PERCENTAGE RATES	Senate Bill 107 (SB 107) relates to financial institutions. SB 107 changes the permitted percentage rates for loans pursuant to the New Mexico Bank Installment Loan Act of 1959 and the New Mexico Small Loan Act of 1955. SB 107 requires a license for certain lenders. SB 107 changes certain reporting requirements. SB 107 requires notice.	[4] SCC/STBTC/SJC-SCC
SB 109	McKenna, Brenda Grace AgoyothÃ©	ENVIRONMENTAL VIOLATION CIVIL PENALTIES	Senate Bill 109 (SB 109) amends the New Mexico Mining Act, the Air Quality Control Act, the Hazardous Waste Act, the Water Quality Act and the Solid Waste Act to increase civil penalties for violations, noncompliance and failure to correct for noncompliance to account for inflation. The Radioactive and Hazardous Materials Committee requested the introduction of SB 109.	[4] SCC/SCONC/SJC-SCC
SB 112	Gonzales, Roberto "Bobby"	RETIREE HEALTH CARE FUND CONTRIBUTIONS	Senate Bill 112 (SB 112) relates to retiree health care by increasing employee and employer contribution rates to the Retiree Health Care Fund.	[4] SCC/SHPAC/SFC-SCC-germane-SHPAC
SB 114	Tallman, Bill	PROCUREMENT CODE CHANGES	Senate Bill 114 (SB 114) relates to procurement. SB 114 changes the Procurement Code. SB 114 adds and changes definitions. SB 114 requires the approval of the attorney general for executive branch state agency contracts for legal counsel. SB 114 revises the Procurement Code exemption for advertising. SB 114 eliminates the Procurement Code exemptions for the Fort Bayard Medical Center and certain hospital and health care procurement. SB 114 directs the state purchasing agent to approve sole source procurement determinations. SB 114 limits the term of sole source and emergency procurement to one year. SB 114 provides additional requirements for procurement under existing contracts. SB 114 revises the term limits of multi-term contracts and provides limitations on price amendments. SB 114 makes technical and conforming changes. SB 114 repeals Section 13-1-98.1 NMSA 1978.	[4] SCC/STBTC/SJC-SCC
SB 121	Gallegos, David M	EXEMPT SOCIAL SECURITY FROM INCOME TAX	Senate Bill 121 (SB 121) exempts Social Security benefits from state income tax. SB 121 prohibits taxpayers from claiming both the over 65 and blind exemption and the proposed Social Security exemption.	[4] SCC/STBTC/SFC-SCC-germane-STBTC
SB 125	Munoz, George K	STATE EMPLOYEE MINIMUM WAGE	Senate Bill 125 (SB 125) provides for a \$15.00 minimum hourly wage for state employees.	[4] SCC/SHPAC/SFC-SCC-germane-SHPAC

SB 126	Gallegos, David M	PUBLIC SAFETY TELECOMMUNICATOR RETIREMENT	Senate Bill 126 (SB 126) relates to public employee retirement. SB 126 includes public safety telecommunicators as police members under the Public Employees Retirement Act. SB 126 provides for elections pertaining to the adoption of the police member coverage plans for current public safety telecommunicators.	[4] SCC/SHPAC/SFC-SCC
SB 127	Pirtle, Cliff R.	NM MOUNTED PATROL DEFINITIONS & INSURANCE	Senate Bill 127 (SB 127) adds members of the New Mexico Mounted Patrol to the definition of a law enforcement officer, provides for insurance costs for the Mounted Patrol, and appropriates \$94,560 for associated liability and workers compensation insurance coverage.	[4] SCC/SJC/SFC-SCC
SB 129	Schmedes, Gregg William	INSTALLMENT LOAN PERCENTAGE RATES	Senate Bill 129 (SB 129) relates to financial institutions. SB 129 changes the permitted percentage rates for loans pursuant to the New Mexico Bank Installment Loan Act of 1959 and the New Mexico Small Loan Act of 1955. SB 129 requires a license for certain lenders. SB 129 changes certain reporting requirements. SB 129 requires notice.	[4] SCC/STBTC/SJC-SCC
SB 136	Kernan, Gay G.	EXCLUDE OIL & GAS SERVICES FROM DBS RULES	Senate Bill 136 (SB 136) excludes oil and gas production services from destination-based sourcing rules when determining Gross Receipt Tax. SB 136 declares an emergency.	[4] SCC/STBTC/SFC-SCC-germane-STBTC
SB 137	Kernan, Gay G.	DISTRIBUTE PART OF GRT ON SVCS TO MUNIS	Senate Bill 137 (SB 137) provides a distribution of Gross Receipts Tax imposed on construction services and real estate sales and requires reporting of the location of the seller instead of destination-based sourcing for determining tax liability. SB 137 makes an appropriation of \$1 million.	[4] SCC/STBTC/SFC-SCC-germane-STBTC
SB 138	Kernan, Gay G.	MEDICAL & HEALTH CARE GROSS RECEIPTS	Senate Bill 138 (SB 138) provides that receipts from a Medicare administrative contractor qualify for a Gross Receipts Tax (GRT) deduction for certain services.	[4] SCC/STBTC/SFC-SCC-germane-STBTC
SB 146	Campos, Pete	COOPERATIVE PROCUREMENT AGREEMENTS	Senate Bill 146 (SB 146) amends the Procurement Code by excluding cooperative procurement by state agencies from the requirement of procurement through the state purchasing agent and authorizes a state agency or local body to join an existing cooperative procurement agreement for the procurement of services, construction or items of tangible personal property.	[4] SCC/SHPAC/SJC-SCC
SB 147	Campos, Pete	AMBULANCE SERVICES FUND	SB 147 relates to ambulance Services and establishing a fund, while requiring rules and making an appropriation.	[4] SCC/SHPAC/SFC-SCC
SB 150	Stefanics, Elizabeth "Liz"	CREDIT FOR REINSURANCE ACT	SB 150 relates to insurance by enacting the Credit for Reinsurance Act and providing for credit to insurers obtaining reinsurance and repealing and enacting Sections of the NMSA 1978, and declaring an emergency.	[4] SCC/STBTC/SJC-SCC-germane-STBTC
SB 152	Hamblen, Carrie	EXTEND SCOPE OF HUMAN RIGHTS ACT	Senate Bill 152 (SB 152) relates to human rights. SB 152 extends the scope of the Human Rights Act to actions of public bodies and state agencies.	[4] SCC/SHPAC/SJC-SCC-germane-SHPAC
SB 153	Hamblen, Carrie	COLLECTION OF CERTAIN DEMOGRAPHIC DATA	Senate Bill 153 (SB 153) requires certain executive departments and public bodies to collect self-identification data pertaining to sexual orientation and gender identity.	[4] SCC/SHPAC/SJC-SCC
SB 154	Munoz, George K	GENERAL APPROPRIATION ACT OF 2022	HB107 appropriates in detail nearly \$8.5 billion (\$8,446,239.7) from the General Fund for legislative, judicial, general government, higher education, and public education for FY23, which would be a 13.7% increase from the FY22 budget. The appropriations in this 219-page bill represent the LFC's FY23 budget recommendations.	[4] SCC/SFC-SCC-germane-SFC
SJM 2	Stewart, Mimi	NATIONAL BIODIVERSITY STRATEGY	Senate Joint Memorial 2 (SJM 2) requests the federal government to establish a National Biodiversity Strategy with the support of Congress, federal agencies and state, local and tribal governments. It requests all parties to support the National Biodiversity Strategy and take actions to protect species and habitats and help forestall the loss of biodiversity.	[1] SRC/SCONC-SRC
SJR 1	Tallman, Bill	NONPARTISAN OPEN PRIMARY ELECTIONS, CA	Senate Joint Resolution 1 (SJR 1) proposes to amend Article 5, Section 2 and Article 7, Section 5 of the constitution to require primary elections for statewide offices, legislative offices and United States congressional offices to be nonpartisan open primary elections and to require instant runoffs to be used for general elections for these offices.	[1] SRC/SJC-SRC

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SJR 2	Sedillo-Lopez, Antoinette	ENVIRONMENTAL RIGHTS, CA	Senate Joint Resolution 2 (SJR 2) proposes to amend the NM Constitution by adding a new section to Article 2 that provides the people of the state with environmental rights and directs the state to protect environmental resources for the benefit of all the people. It repeals the current pollution control provisions of Article 20, Section 21 of the NM Constitution.	[1] SRC/SJC/SFC-SRC
SJR 4	Tallman, Bill	PRIMARY ELECTION CHANGES, CA	Senate Joint Resolution 4 (SJR 4) proposes to amend Article 7 of the NM Constitution to allow voters who have not selected a party affiliation to vote in the primary election of a political party. It provides political parties the option of allowing only party members to participate in the party's nomination process as long as that the party pays the costs of that process.	[1] SRC/SJC-SRC
SJR 7	Ortiz y Pino, Jerry	USE OF STATE FUNDS FOR HOUSEHOLD SVCS., CA	Senate Joint Resolution 7 (SJR 7) proposes to amend Article 9, Section 14 of the NM Constitution to permit, under certain conditions, the state to expend state funds for the purpose of providing essential household services to individual households or communities, disaster relief to individuals, businesses and nonprofit organizations, and for advancing community well-being.	[4] SRC/SJC-SRC
SM 1	Stewart, Mimi	PAID FAMILY AND MEDICAL LEAVE TASK FORCE	Senate Memorial 1 (SM 1) calls for a task force to be convened by the Workforce Solutions Department to recommend legislation for paid family and medical leave, including the establishment of a paid family and medical leave trust fund.	[1] SRC/SHPAC-SRC
SM 6	Neville, Steven P.	STUDY UNIFIED JAIL & PRISON SYSTEM	Senate Memorial 6 (SM 6) calls for a task force to be convened by the New Mexico Association of Counties to study the feasibility of transitioning individual county detention centers to a unified jail and prison system.	[1] SRC/SJC-SRC
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## Anatomy of a Bill

A bill is introduced by a sponsoring legislator on the floor of either house, numbered by the clerk and referred for consideration to one or more committees of that house. The deadline for introduction of all bills except appropriations bills or bills requested by the Governor (special messages) is noon on the 30<sup>th</sup> day of a 60-day session or noon on the 15<sup>th</sup> day of a 30-day session.

Committee recommendations usually determine the success or failure of a bill. A bill may be amended in committee or on the floor at any point in the process – sometimes changed so significantly that its own author would not recognize it – or a substitute measure with the same number and general subject matter may be put in its place.

If you are interested in a particular bill, do not be discouraged if it seems to sit for a long time in committee, particularly in a tax, finance, or appropriations committee. Bills requesting money or taxing authority often lie dormant until the last few days of a session and then move quickly.

If a bill passes successfully through its committee referrals, it returns to the floor of the chamber in which it was introduced for floor consideration. If it passes that chamber, it goes to the other chamber. However, it may also be tabled, referred again, or defeated.

In the second chamber the bill is again considered in one or several committees and it may again be amended or substituted. If it gets through its committee assignments, it returns to the floor of that chamber for consideration and may from there be referred, tabled, passed, or defeated.

If the bill passes the second chamber after being amended or substituted, the originating chamber must concur or fail to concur with the changes. If the originating chamber fails to concur, a conference committee representing both chambers is appointed to decide what to present to both chambers for acceptance.

A bill that has been passed by both the House and the Senate goes to the Governor for signature. The Governor may choose to sign or veto the bill. If the bill contains an appropriation, the Governor may veto portions if she wishes (*line-item veto*); if it does not, she may only veto the entire bill. If vetoed, 2/3 of the House and 2/3 of the Senate must vote in favor of the bill in order to override the veto. If the veto override fails, the bill dies.

Most bills do not reach the Governor's desk before the Legislature adjourns. The Governor has 20 days following the close of the session to sign, veto, or fail to sign (*pocket veto*) any bill that he or she did not act on during the session. In New Mexico, few bills make it all the way to enactment. The historic trend in New Mexico is for more and more introductions each succeeding session.

### General Abbreviation Codes

HB – House Bill  
HCR – House Concurrent Resolution  
HJR – House Joint Resolution  
HJM – House Joint Memorial  
HM – House Memorial  
SB – Senate Bill  
SCR – Senate Concurrent Resolution  
SJR – Senate Joint Resolution  
SJM – Senate Joint Memorial  
SM – Senate Memorial  
\* - Contains Emergency Clause  
CA – Constitutional Amendment

### House Committees

HAFC – Appropriations and Finance  
HAGC – Agriculture and Water Resources  
HCEDC – Commerce and Economic Development  
HCPAC – Consumer and Public Affairs  
HCW – Committee of the Whole  
HEC – Education  
HENRC – Energy, Environment and Natural Resources  
HHHC – Health and Human Services  
HJC – Judiciary  
HLLC – Local Government, Land Grants and Cultural Affairs  
HLVMC – Labor, Veterans' and Military Affairs  
HRC – Rules and Order of Business  
HSEIC – State Government, Elections & Indian Affairs  
HTPWC – Transportation, Public Works & Capital Improvements  
HTRC – Taxation and Revenue

### Senate Committees

SCC – Committee's Committee  
SCONC – Conservation  
SCW – Committee of the Whole  
SEC – Education  
SFC – Finance  
SHPAC – Health and Public Affairs  
SIRC – Indian, Rural and Cultural Affairs  
SJC – Judiciary  
SRC – Rules  
STBTC – Tax, Business and Transportation