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## FISCAL IMPACT REPORT

ORIGINAL DATE 02/27/13  
 LAST UPDATED 03/05/13

SPONSOR SJC HB \_\_\_\_\_

SHORT TITLE Subdivision Water Permits SB 480/SCONCS/SJCS

ANALYST McCoy

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY13	FY14	FY15	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>		NFI				

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Office of the State Engineer (OSE)

Attorney General Office (AGO)

### SUMMARY

#### Synopsis of Bill

Section 1 of this bill amends Section 47-6-11.2 NMSA 1978. This bill mandates that board of county commissioners require subdividers provide a copy of a permit obtained from the state engineer for the subdivision water use or provide proof of a service commitment from a water provider and an opinion from the state engineer that the subdivider can fulfill the requirements of Paragraph (1) of Subsection F of Section 47-6-11 NMSA 1978. On page 1, line 21 and 22, the bill defines the number of parcels (10 or more) and size of parcels (any 1 parcel 2 acres or less) that are covered by this proposed statute. This Section instructs the board of county commissioners to not approve an application based on the use of water from any permit issued pursuant to Section 72-12-1.1 NMSA 1978 (domestic wells). Finally, this section also deletes the existing section 47-6-11.2.B which states that after July 1, 1997, the board of county commissioners may require that the subdividers to provide a copy of a permit obtained from the state engineer for the subdivision water use.

Section 2 of this bill adds an emergency clause.

### FISCAL IMPLICATIONS

No fiscal implications identified.

**SIGNIFICANT LEGAL ISSUES**

The AGO notes, it is unclear whether the term “permit application” on page 2, line 8-9 refers to the state engineer’s approval of the subdivision or to the state engineer’s approval of the required permits to appropriate water or change the place and purpose of use of a water right.

MTM/blm