

**LFC Requester:**

**Lance Chilton**

**AGENCY BILL ANALYSIS  
2024 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:**

**Analysis.nmlegis.gov**

*{Analysis must be uploaded as a PDF}*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

*Check all that apply:*

**Original**  **Amendment**   
**Correction**  **Substitute**

**Date** 1/16/2024

**Bill No:** HB 104

**Sponsor:** Rep. Szczepanski  
**Short Title:** Statewide Public Health and Climate Program

**Agency Name and Code** EMNRD 521  
**Number:** \_\_\_\_\_  
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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
	1,100	Nonrecurring	General Fund
	10,000	Nonrecurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		

(Parenthesis ( ) Indicate Expenditure Decreases)

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

	<b>FY24</b>	<b>FY25</b>	<b>FY26</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>						

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: N/A

Duplicates/Relates to Appropriation in the General Appropriation Act: Unknown

**SECTION III: NARRATIVE**

**BILL SUMMARY**

Synopsis: House Bill 104 (HB 104) creates a statewide public health and climate program within the New Mexico Department of Health (DOH), by amending the Public Health Act to require the Epidemiology Bureau of the Epidemiology and Response Division of the DOH to establish a statewide public health and climate program. \$1,100,000.00 would be appropriated from the General Fund to support the program. This program would be charged with the following:

- Administering a “public health and climate resiliency fund,” also created by HB 104, to assist local communities experiencing public health emergencies relating to climate change and extreme weather;
- Improving interagency collaboration to:
  - reduce the health impacts of climate change and extreme weather in New Mexico,
  - monitor and measure the health impacts of climate change,
  - increase health equity, and
  - review and recommend updates to health and safety standards related to climate change and extreme weather;
- Creating action plans to support local communities in building health resiliency to climate impacts;
- Providing climate and public health expertise to local communities and other state agencies;
- Integrating public health and climate science into emergency management practices in the state; and
- Facilitating community engagement on these topics.

HB 104 also updates the Public Health Act with a new section that creates a new reverting fund in the state treasury, the “public health and climate resiliency fund,” which can be used by DOH to make grants of up to \$250,000 to a political subdivision of the state or to an Indian nation, tribe, or pueblo, for the purposes of preparing for and responding to public health emergencies related to extreme weather and other climate impacts. To fund these grants, ten million dollars (\$10,000,000) would be appropriated from the general fund to the DOH for expenditure in fiscal years 2025 through 2029. There will be no requirements for grant recipients to provide matching funds, and at least 50% of the total grant funds approved must be for recipients with a population of 100,000 persons or less.

## **FISCAL IMPLICATIONS**

None for EMNRD.

## **SIGNIFICANT ISSUES**

HB 104 would create a climate change-oriented program in the Department of Health, which has not previously had resources to devote to the specific issue of climate change's many impacts on public health. These impacts are particularly significant for New Mexico. Increases in the frequency and severity of climate change-driven extreme events—droughts, wildfires, extreme heat, and flooding, among others—are already creating adverse outcomes for the health of New Mexicans. Climate change and the weather extremes it drives will worsen heat-related illnesses, asthma, chronic obstructive pulmonary disease, and mental health, especially amongst the elderly, tribal populations, and overly-burdened communities. The program envisioned in HB 104 would allow DOH to provide focused expertise, funding, and support to those New Mexicans whose health is most threatened by the impacts of climate change. Importantly, creating this type of program would allow DOH to take prophylactic actions to prepare for forecastable community health impacts, and address these issues reactively.

EMNRD, as one of the chair agencies of the Climate Change Task Force and leader of the State Climate Adaptation and Resilience Plan, recognizes that creating a well-funded program in DOH to address climate and public health would enable DOH to more fully support New Mexico's climate and resilience policies as set out in Executive Order 2019-003.

HB 104 specifies that the DOH Secretary should prioritize grants from the new Public Health and Climate Resiliency Fund that assess the appropriateness of potential adaptation measures for a community, including the need for and the possible implementation of buildings-related measures, such as weatherization, energy efficiency, and backup generators and electricity storage facilities in libraries, government buildings, schools and community centers. The Energy Conservation and Management Division within EMNRD manages a number of programs, such as the Energy Savings Performance Contracts Program, the Community Energy Efficiency Development Block Grant Program, the Grid Modernization Program, and others, that support these measures and could provide assistance to communities awarded grants to implement and finance these measures.

## **PERFORMANCE IMPLICATIONS**

EMNRD staff within the Energy Conservation and Management Division who run programs related to weatherization, energy efficiency, and resilient energy systems may be tasked with supporting communities who receive grant funds from the Public Health and Climate Resiliency Fund to implement related measures.

HB 104 emphasizes interagency collaboration with a focus on the health implications of climate change. To make this collaboration successful and effective, it will be important to coordinate with the Climate Change Task Force and any relevant health-specific efforts, including the Human Health and Wellness priorities and actions under the State Climate Adaptation and Resiliency Plan. This will include ensuring agencies and localities receiving grants are using consistent data sources, climate projections, and tracking and evaluation tools.

**ADMINISTRATIVE IMPLICATIONS**

None for EMNRD.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

N/A

**TECHNICAL ISSUES**

N/A

**OTHER SUBSTANTIVE ISSUES**

None.

**ALTERNATIVES**

N/A

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

The Department of Health will not have dedicated staff or funding to run a climate resiliency and public health program, and local communities will not be able to access supportive funding or climate and public health-related expertise from the state to address the increasing and cascading health impacts of climate change and extreme weather events.

**AMENDMENTS**

None.