

BILL ANALYSIS AND FISCAL IMPACT REPORT
Taxation and Revenue Department

January 19, 2024

Bill: SB-45

Sponsor: Senator Michael Padilla

Short Title: Broadband Infrastructure

Description: This bill amends laws related to broadband infrastructure and further allows for the funding of education technology infrastructure projects. Sections 1, 2, 12, and 13 allow the issuance of supplemental severance tax bonds for educational technology infrastructure and make changes to public school capital outlay. Section 3 amends the Procurement Code to allow for multiyear contracts for certain broadband services. Sections 4, 5, and 6 remove certain technology infrastructure expenditures from public school capital outlay, as these are now provided for separately under Sections 1 and 2. Section 7 regulates attachments to utility poles. Section 8 adds the State to the definition of “authority” under the Wireless Consumer Advanced Infrastructure Investment Act. Sections 9 and 10 amend the title of the Broadband Access and Expansion Act, and update certain definitions pertaining to broadband, synchronizing with Sections 1 and 2. Section 11 creates the “Education Technology Infrastructure Fund” for broadband and other educational related projects and provides for the distributions the fund. Section 15 creates the “connect New Mexico council”. Section 16 creates the “Connect New Mexico Fund” for the purpose of funding broadband infrastructure projects.

Effective Date: July 1, 2024.

Taxation and Revenue Department Analyst: Lucinda Sydow

Estimated Revenue Impact*					R or NR**	Fund(s) Affected
FY2024	FY2025	FY2026	FY2027	FY2028		
No Impact					--	--

* In thousands of dollars. Parentheses () indicate a revenue loss. ** Recurring (R) or Non-Recurring (NR).

Methodology for Estimated Revenue Impact: This bill has no direct revenue impact.

Policy Issues: None.

Technical Issues: On page 1, line 11 of the bill, the bill’s short title states “Amending the Tax Administration Act to provide for the issuance of supplemental severance tax bonds for education technology infrastructure.” This description is referencing the incorrect act and should refer to the “Severance Tax Bonding Act.”

Section 15 creates the “Connect New Mexico Council”, and the title purports to assign powers to the council; but the text of the section does not assign any powers to the council.

Other Issues: None.

Administrative & Compliance Impact: None.

Related Bills: None.