

LFC Requester:

NA

AGENCY BILL ANALYSIS  
2024 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

AgencyAnalysis.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 1/23/24

Bill No: SB130

Sponsor: Sen. Padilla  
Short Cybersecurity AI workgroup  
Title:

Agency Name and Code HSD-630  
Number:  
Person Writing Sean Curry  
Phone: 505-946-8926 Email sean.curry@hds.nm.gov

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

| Appropriation |                                    | Recurring or Nonrecurring | Fund Affected |
|---------------|------------------------------------|---------------------------|---------------|
| FY24          | FY25                               |                           |               |
| \$0           | \$500.00 (to cybersecurity office) | Nonrecurring              | GF            |
|               |                                    |                           |               |

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

| Estimated Revenue |      |      | Recurring or Nonrecurring | Fund Affected |
|-------------------|------|------|---------------------------|---------------|
| FY24              | FY25 | FY26 |                           |               |
| \$0               | \$0  | \$0  | NA                        | NA            |
|                   |      |      |                           |               |

(Parenthesis ( ) Indicate Expenditure Decreases)

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

|              | <b>FY24</b> | <b>FY25</b> | <b>FY26</b> | <b>3 Year<br/>Total Cost</b> | <b>Recurring or<br/>Nonrecurring</b> | <b>Fund<br/>Affected</b> |
|--------------|-------------|-------------|-------------|------------------------------|--------------------------------------|--------------------------|
| <b>Total</b> | \$0.00      | \$0.00      | \$0.00      | \$0.00                       | NA                                   | NA                       |

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:

Relates to HB 184 : Government Use of Artificial Intelligence Transparency Act

**SECTION III: NARRATIVE**

**BILL SUMMARY**

Synopsis:

SB 130 Creates a new section of the Cybersecurity Act to require the Security Officer (State Chief Information Security Officer) to convene a work group to develop legislative proposals and recommendations for policies for state use and procurement of artificial intelligence systems. Agencies shall cooperate with the work group, including providing information, data, records and reports regarding an agency’s use or procurement of artificial intelligence systems upon request. Requires that reports be submitted to LFC and appropriate interim committees by November 1, 2025.

Appropriates \$500,000 from the General Fund to the Cybersecurity Office for use in FYs 2025 and 2026 to staff and support the work group. Any unexpended balance reverts.

The work group is comprised of the following eight members:

- One member appointed by the Chief Justice of the Supreme Court
- One member appointed by the President Pro Tempore of the Senate
- One member appointed by the Speaker of the House of Representatives
- Secretary of Department of Information Technology
- Four members appointed by the Governor who are not employees of DoIT.

Members receive only mileage and per diem for their services. Cybersecurity Office is to provide support.

Defines “artificial intelligence system” as a hardware or software system using algorithms to process and interpret data to imitate intelligent behavior for specific policy- making goals, including systems capable of incorporating new data to expand the technology’s capacity for interpretation, including using directed or automated access of data from the internet.

**FISCAL IMPLICATIONS**

None

**SIGNIFICANT ISSUES**

The workgroup established by SB 130 does not include HCA in its membership. Without

representation in the group, the HCA perspective on legislative proposals and recommendations for policies for state use and procurement of artificial intelligence systems may not be accurately reflected.

**PERFORMANCE IMPLICATIONS**

None

**ADMINISTRATIVE IMPLICATIONS**

None

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

Relates to HB 184 : Government Use of Artificial Intelligence Transparency Act. SB 130 and HB 184 do not share the same definition of “artificial intelligence system.”

Relates to SB 129: Cybersecurity Act Changes

**TECHNICAL ISSUES**

None

**OTHER SUBSTANTIVE ISSUES**

None

**ALTERNATIVES**

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

Status Quo

**AMENDMENTS**