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| <b>LFC Requester:</b> | <b>Emily Hilla</b> |
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**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** 2/13/24  
**Bill No:** SM15

**Sponsor:** Sen Michael Padilla  
**Short Title:**    N/A

**Agency Name and Code**    361-OBAE  
**Number:** \_\_\_\_\_  
**Person Writing**    Vanessa Willock  
**Phone:** 505-629-6004    **Email** Vanessa.Willock@connect.nm.gov

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

| Appropriation |      | Recurring or Nonrecurring | Fund Affected |
|---------------|------|---------------------------|---------------|
| FY24          | FY25 |                           |               |
| 0             | 0    | N/A                       | N/A           |
|               |      |                           |               |

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

| Estimated Revenue |      |      | Recurring or Nonrecurring | Fund Affected |
|-------------------|------|------|---------------------------|---------------|
| FY24              | FY25 | FY26 |                           |               |
| 0                 | 0    | 0    | N/A                       | N/A           |
|                   |      |      |                           |               |

(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           | 0           | 0           | 0                            | N/A                                  | N/A                      |

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:  
Duplicates/Relates to Appropriation in the General Appropriation Act

**SECTION III: NARRATIVE**

**BILL SUMMARY**

Synopsis:

SM15 requests the Office of Broadband Access and Expansion convene a work group to study ways to facilitate and streamline the deployment of broadband to all residents of New Mexico.

Re-iterates the significant ways the New Mexico legislature has taken action to promote access to broadband in recent years and summarizes the ways having access to the internet supports and provides opportunities for all New Mexicans.

Re-iterates that New Mexico voters adopted a constitutional amendment in 2022 approving an exemption to the “anti-donation clause” and establishing internet services as an “essential service.”

Re-iterates that DOT worked with OBAE to pass HB160 in 2023 which authorizes DOT to issue rules for broadband deployment in the DOT rights of way.

Re-iterates that New Mexico was allocated significant funding through the BEAD program to provide access to high-speed internet to unserved households, underserved households, community anchor institutions and low-income multidwelling units and that OBAE continues to meet federal guidelines and requirements to keep and maintain the allocation by engaging and working with multiple community partners.

Requests that OBAE convene a work group to meet during the 2024 interim session to consider both legislative and non-legislative options to streamline, simplify, and leverage existing resources to deploy broadband and to provide a report of its recommendations to the legislative interim committee directed by the legislative council to work on science and technology issues and the Governor on or before November 30, 2024.

Directs that copies of the memorial be transmitted to the Director of OBAE, the Governor, and the United States Assistant Secretary of Commerce for Communications and Information.

**FISCAL IMPLICATIONS**

**None**

**SIGNIFICANT ISSUES**

**None**

**PERFORMANCE IMPLICATIONS**

None

**ADMINISTRATIVE IMPLICATIONS**

**None**

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

None

**TECHNICAL ISSUES**

None

**OTHER SUBSTANTIVE ISSUES**

None

**ALTERNATIVES**

**None**

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

**Status Quo**

**AMENDMENTS**

None