

1 AN ACT  
2 RELATING TO CONSTRUCTION; REQUIRING DEVELOPERS OR OWNERS OF  
3 RENEWABLE ENERGY OR OTHER PROJECTS TO NOTIFY THE CHAIR OF THE  
4 MILITARY BASE PLANNING COMMISSION OF A NOTICE OF PROPOSED  
5 CONSTRUCTION OR ALTERATION SUBMITTED TO THE FEDERAL AVIATION  
6 ADMINISTRATION TO INITIATE THE UNITED STATES DEPARTMENT OF  
7 DEFENSE MILITARY AVIATION AND INSTALLATION ASSURANCE SITING  
8 CLEARINGHOUSE'S REVIEW PROCESS; REQUIRING NOTICE OF FEDERAL  
9 LETTER OF MILITARY COMPATIBILITY OR A FINDING OF ADVERSE  
10 IMPACT.

11  
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

13 SECTION 1. A new section of Chapter 9, Article 15 NMSA  
14 1978 is enacted to read:

15 "NOTIFICATION TO MILITARY BASE PLANNING  
16 COMMISSION.--When the developer or owner of a project for  
17 construction or expansion of a wind energy conversion device,  
18 solar collector or other facility submits a notice of  
19 proposed construction or alteration of a project to the  
20 federal aviation administration to initiate the review  
21 process by the United States department of defense's military  
22 aviation and installation assurance siting clearinghouse in  
23 compliance with federal law, the project developer or owner  
24 shall:

25 A. within thirty business days, inform the chair

HB 159/a  
Page 1

1 of the military base planning commission in writing about the  
2 submitted notice and provide a description of the project's  
3 location and basic project details; and

4 B. within thirty days of obtaining a determination  
5 from the federal aviation administration, a military  
6 compatibility letter from the siting clearinghouse or a  
7 finding of unacceptable risk from the military aviation and  
8 installation assurance siting clearinghouse, provide a copy  
9 of the finding to the chair of the commission."

10 SECTION 2. EFFECTIVE DATE.--The effective date of the  
11 provisions of this act is July 1, 2025. \_\_\_\_\_

HB 159/a  
Page 2