

1 AN ACT
2 RELATING TO ECONOMIC DEVELOPMENT; ENACTING THE STRATEGIC
3 ECONOMIC DEVELOPMENT SITE READINESS ACT.
4

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

6 SECTION 1. SHORT TITLE.--This act may be cited as the
7 "Strategic Economic Development Site Readiness Act".

8 SECTION 2. DEFINITIONS.--As used in the Strategic
9 Economic Development Site Readiness Act:

10 A. "department" means the economic development
11 department;

12 B. "private partner" means an individual, a
13 foreign or domestic corporation, a general partnership, a
14 limited liability company, a limited partnership, a joint
15 venture, a business trust, a public benefit corporation, a
16 nonprofit entity or other private business entity or a
17 combination thereof;

18 C. "public partner" means the state and the
19 state's branches, agencies, departments, boards,
20 instrumentalities or institutions and all political
21 subdivisions of the state and their agencies,
22 instrumentalities and institutions, including a department,
23 an institution of higher education, a board or a commission,
24 and includes Indian nations, tribes and pueblos; and

25 D. "secretary" means the secretary of economic

1 development.

2 SECTION 3. SITE CHARACTERIZATION STUDIES.--

3 A. The department may enter into contracts with
4 public partners and private partners for site
5 characterization studies of proposed economic development
6 sites to determine the suitability of such sites for
7 certification as a strategic economic development site.

8 B. The secretary shall accept for consideration
9 proposals for site characterization studies of proposed
10 economic development sites and shall decide if a proposed
11 economic development site will be the subject of a site
12 characterization study pursuant to Subsection A of this
13 section.

14 C. A site characterization study shall assess the
15 suitability of a proposed economic development site for
16 development by a public partner or private partner and may
17 consider the following characteristics:

18 (1) the availability of public
19 infrastructure, including transportation access, water and
20 wastewater;

21 (2) the availability of public utilities,
22 including electricity, natural gas and broadband access;

23 (3) environmental limitations;

24 (4) size, configuration, topography, soils
25 and drainage;

1 (5) workforce availability;
2 (6) housing availability;
3 (7) governmental land use restrictions;
4 (8) site ownership;
5 (9) neighboring land uses; and
6 (10) any other site characteristics that may
7 affect the degree to which the site is ready for immediate
8 economic development.

9 SECTION 4. STRATEGIC ECONOMIC DEVELOPMENT SITE ADVISORY
10 COMMITTEE--CREATED--MEMBERSHIP.--

11 A. The "strategic economic development site
12 advisory committee" is created. The department shall provide
13 necessary administrative services to the committee.

14 B. The strategic economic development site
15 advisory committee is composed of:

16 (1) the secretary of energy, minerals and
17 natural resources or the secretary's designee;

18 (2) the secretary of environment or the
19 secretary's designee;

20 (3) a representative of the public
21 regulation commission appointed by the commission;

22 (4) the secretary of transportation or the
23 secretary's designee;

24 (5) the chief executive officer of the
25 New Mexico finance authority or the chief executive officer's

1 designee;

2 (6) the director of the economic development
3 division of the department; and

4 (7) five public members appointed by the
5 New Mexico legislative council who shall have experience in
6 law, architecture, planning, utilities, transportation or
7 economic development.

8 C. The public members appointed initially shall
9 draw lots for staggered terms in such a way that two members
10 shall serve for six years, two members shall serve for four
11 years and one member shall serve for two years. Thereafter,
12 the public members shall serve for six-year terms. A vacancy
13 in a term of a public member of the strategic economic
14 development site advisory committee shall be filled by the
15 New Mexico legislative council for the remainder of the
16 original term.

17 D. The members shall select a chair, who shall be
18 a public member and who shall serve a term of two years.

19 E. Members who are not public employees are
20 entitled to per diem and mileage as provided in the Per Diem
21 and Mileage Act but shall receive no other compensation,
22 perquisite or allowance.

23 F. A member of the strategic economic development
24 site advisory committee shall not participate in or influence
25 a decision by the committee in which that member has a

1 conflict of interest, pecuniary interest or other
2 disqualifying interest regarding a proposed strategic
3 economic development site. All members of the committee
4 shall certify annually and in writing compliance with this
5 subsection.

6 SECTION 5. STRATEGIC ECONOMIC DEVELOPMENT SITE ADVISORY
7 COMMITTEE--DUTIES.--The strategic economic development site
8 advisory committee has the following duties:

9 A. meet quarterly and at such other times as
10 deemed necessary by the chair;

11 B. review and recommend the designation of
12 proposed strategic economic development sites;

13 C. recommend approval or disapproval of
14 applications for grants and loans from the site readiness
15 fund, the public project revolving fund and other potential
16 funding sources;

17 D. recommend the promulgation of rules
18 establishing the application process and criteria for the
19 approval of strategic economic development sites in
20 accordance with the provisions of the State Rules Act; and

21 E. consult with state agencies and county and
22 local governments on technical issues relevant to the
23 committee's consideration of proposed strategic economic
24 development sites and applications for grants and loans from
25 the site readiness fund.

1 SECTION 6. STRATEGIC ECONOMIC DEVELOPMENT SITES--
2 DESIGNATION--IMPLEMENTATION.--

3 A. The secretary shall review site
4 characterization studies conducted pursuant to Section 3 of
5 the Strategic Economic Development Site Readiness Act and
6 shall determine, after consideration of the recommendations
7 of the strategic economic development site advisory
8 committee:

9 (1) whether there needs to be further study
10 of the characteristics of proposed economic development
11 sites; or

12 (2) whether the proposed economic
13 development site should be designated as a strategic economic
14 development site.

15 B. Upon designation as a strategic economic
16 development site, the secretary may solicit proposals from
17 public partners and private partners for site pre-development
18 projects that will enhance the readiness of the strategic
19 economic development site. Site pre-development projects may
20 include:

21 (1) surveying, engineering, planning and
22 architectural work required in advance of construction on
23 site development and building construction;

24 (2) environmental assessments and
25 remediation;

1 (3) public infrastructure improvements
2 necessary prior to the start of site development and building
3 construction, including roads and utilities;

4 (4) site preparation, including landscaping
5 and drainage improvements; and

6 (5) governmental permitting.

7 C. The secretary shall review proposals from
8 public partners and private partners for site pre-development
9 projects and shall determine, after consideration of the
10 recommendations of the strategic economic development site
11 advisory committee, which proposed site pre-development
12 projects could be funded in whole or in part by grants and
13 loans from the site readiness fund or should be recommended
14 for funding from the public project revolving fund or other
15 funding resources.

16 SECTION 7. SITE READINESS FUND--CREATED.--

17 A. The "site readiness fund" is created in the
18 state treasury. The fund consists of appropriations, gifts,
19 grants, donations, income from investment of the fund,
20 payments of principal and interest on loans made from the
21 fund and any other money distributed or otherwise allocated
22 to the fund. Income from the fund shall be credited to the
23 fund. Money in the fund shall not revert or be transferred
24 to any other fund at the end of a fiscal year.

25 B. The department shall administer the site

1 readiness fund. Money in the fund is appropriated to the
2 department for the purposes of carrying out the provisions of
3 the Strategic Economic Development Site Readiness Act,
4 including site characteristic studies of proposed economic
5 development sites and site preparations of strategic economic
6 development sites. Disbursements from the fund shall be made
7 by warrant of the secretary of finance and administration
8 pursuant to vouchers signed by the secretary of economic
9 development or the secretary's authorized representative.

10 C. Money in the site readiness fund may be
11 used to provide grants and loans for financing site pre-
12 development projects.

13 D. Money in the site readiness fund may be used
14 for administrative and reimbursable costs incurred by the
15 department, subject to the legislative appropriation process.

16 SECTION 8. REPORT.--By October 1, 2026, and by October
17 1 of each year thereafter, the secretary shall provide a
18 report to the governor, the legislative finance committee and
19 the appropriate interim legislative committees regarding:

20 A. the number and location of proposed economic
21 development sites that have been approved for site
22 characterization studies;

23 B. the number and location of strategic economic
24 development sites that have been approved by the secretary;

25 C. the number and location of site pre-development

1 projects that have been approved by the secretary, including
2 those that have been approved for funding, in whole or in
3 part, through grants and loans from the site readiness fund,
4 the public project revolving fund or other funding resources;

5 D. the status of the site readiness fund; and

6 E. recommended changes to the Strategic Economic
7 Development Site Readiness Act.

8 SECTION 9. EFFECTIVE DATE.--The effective date of the
9 provisions of this act is July 1, 2025. _____

STBTC/SB 169
Page 9