

LFC Requester:

Austin Davidson

AGENCY BILL ANALYSIS - 2026 REGULAR SESSION

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: 1/27/26

Check all that apply:

Bill Number: HB 152

Original X Correction
Amendment Substitute

Sponsor: Reps. Dixon and Ortez

Agency Name and Code Number: 305 – New Mexico Department of Justice

Person Writing

Short Title: Environmental Product Declaration Act

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

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

SECTION III: NARRATIVE

This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator’s request. The analysis does not represent any official policy or legal position of the NM Department of Justice.

BILL SUMMARY

Synopsis: House Bill 152 (“HB 152”) would create a program to assist manufacturers of covered products to create environmental product declarations (“EPD”). HB 152 requires the New Mexico Environment Department (“Department”) to administer the program. HB 152 also creates an EPD Fund through the transfer of 5 million dollars from the General Fund to carry out its provisions.

Section 1: This section would establish the short title of the Act as the “Environmental Product Declaration Act.”

Section 2: This section would provide the definitions for significant terms used throughout the Act, which include “covered material,” “department,” “embodied carbon,” “environmental product declaration,” and “global warming potential.”

Section 3:

Subsection A would establish the Environmental Product Declaration Program. It would allow the Department to (1) assist manufacturers of covered products with the creation of EPDs; (2) receive and analyze associated data; and (3) research options to reduce embodied carbon in state construction projects.

Subsection B would require Department to administer the program.

Subsection C would allow the Department to contract for services to assist manufacturers of covered materials with the creation of EPDs. It would require that the EPDs be shared with the Department.

Subsection D would require the Department to promulgate rules to implement the program on or before January 1, 2027.

Subsection E would require the Department to publish a report, including relevant data and recommendations, no later than October 1st of 2027 and of every subsequent year. This report would include the number of EPDs, “the geographic distribution of manufacturing facilities,” an assessment of eligible facilities in the state, a progress assessment, recommendations for embodied carbon reduction, and program recommendations.

Section 4: This section would provide requirements for EPDs, including that they be

“product- or facility-specific” (with exception), are “independently verified,” allow for comparison between products, “meet or exceed internationally recognized standards, were “issued within five years of the date” of submission, and include specific components (such as a life-cycle assessment, location, and other specified information, as well as “additional information the department deems necessary”).

Section 5:

Subsection A would create the “Environmental Product Declaration Fund” as a nonreverting fund in the state treasury. It would require the Department to administer the fund pursuant to Subsection B. It requires that disbursements from the fund “be made warrant of the Secretary of Finance and Administration pursuant to vouchers signed by the Secretary of Environment.”

Subsection B would allow the Department to use money from the fund to contract for services to assist manufacturers of covered materials with the creation of EPDs and to administer the EPD Program, with a limited amount of the fund eligible for administrative costs.

Section 6: This section would authorize a transfer of five million dollars from the General Fund to the EPD Fund

Section 7: This section would establish July 1, 2026, as the effective date.

FISCAL IMPLICATIONS

N/A

SIGNIFICANT ISSUES

N/A

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo

AMENDMENTS

N/A