

LFC Requester:	Noah Montano
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**AGENCY BILL ANALYSIS
2026 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

Analysis.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 February 6, 2026
Bill No: HB 166

Sponsor: Reps. Serrato and A. Martinez
Short Title: Limit Restrictions on Certain Fences

Agency Name and Code Regulation and Licensing Department-420
Number: _____
Person Writing Lori Chavez
Phone: 505-469-2728 **Email** Lori.chavez1@rld.nm.

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
n/a	n/a	n/a	n/a

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
n/a	n/a	n/a	n/a	n/a

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

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

(Parenthesis () Indicate Expenditure Decreases)

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

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

House Bill 166 (HB 166) adds a new section to the municipality Zoning Regulations related to the installation of certain twelve (12) volt or less direct current battery-charged fences with alarm systems in non-residential zoned areas. HB 166 requires county and municipal zoning authorities to allow the the installation or use of battery-charged fences in non-residential zoning areas, prohibits county and municipal zoning authorities from adopting requirements for the installation or operational requirements for battery-charged fences or alarm systems that are inconsistent with the current international electrotechnical commission standards; and prohibits county and municipal zoning authorities from charging permit fees in addition to alarm permit fees issued by the local government.

The battery charged fence shall: (1) Not produce an electric charge on contact that exceeds energizer characteristics set for electric fences by the current international electrotechnical commission standards; (2) be enclosed on the outside by a non-electric perimeter fence or wall five (5) feet or higher; (3) be ten (10) feet in height or two (2) feet higher than the non-electrical perimeter fence or wall whichever is higher; and (4) be marked with conspicuous warning signs not more than thirty (30) feet apart located on the fence that reads “WARNING: ELECTRIC FENCE.”

FISCAL IMPLICATIONS

HB 166 is not anticipated to have any significant fiscal or operational impact on the Construction Industries Division or other divisions of the Regulation and Licensing Department.

SIGNIFICANT ISSUES

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

It is recommended that an addition be made to the list of requirements in HB 166 that “the installation must comply with the manufacturer's installation instructions” to ensure proper installation in compliance with the International Electrotechnical Commission standard requirement for life safety installation.

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS

See “Technical Issues” section, above.