

LFC Requestor: Emily Hilla

2026 LEGISLATIVE SESSION
AGENCY BILL ANALYSIS

Section I: General

Chamber: House

Category: Bill

Number: 178

Type: Introduced

Date (of THIS analysis): 1/28/26

Sponsor(s): Jimmy G. Mason

Short Title: Sun Shades for Rural Parks and Recreation

Reviewing Agency: Agency 665 - Department of Health

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Section II: Fiscal Impact

APPROPRIATION (dollars in thousands)

Appropriation Contained		Recurring or Nonrecurring	Fund Affected
FY 26	FY 27		
\$3,000	\$	Nonrecurring	General

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY 26	FY 27	FY 28		
\$0	\$0	\$0	NA	NA

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY 26	FY 27	FY 28	3 Year Total Cost	Recurring or Non-recurring	Fund Affected
Total	\$114	\$114	\$114	\$342	Non-recurring	General

HB178 proposes to establish a new appropriation to be managed and allocated by Department of Health (DOH). If this remains in DOH, it will likely fall to the Environmental Health Epidemiology Bureau to manage the funds. To fulfill the requirements of this bill, the following personnel and associated costs would be required annually starting in FY26 until the funds are used (we estimate three years to fully expend the funds):

Personnel Services & Employee Benefits (PS&EB)

<i>Coordinator (Sr Social Services Coordinator) Pay Band 7 - \$69,091 x 1 FTE x 1.39</i>	<i>\$96,036</i>
<i>Sub-total</i>	<i>\$96,036</i>
<u>Office Setup</u>	
<i>Computer setup - \$2,500 per staff</i>	<i>\$2,500</i>
<i>Phones – Cell phone \$600 per staff per year</i>	<i>\$600</i>
<i>Duplication and Printing - \$500 per staff per year</i>	<i>\$500</i>
<i>IT Costs – Enterprise costs, help desk, email, \$2000 per staff annually</i>	<i>\$2,000</i>
<i>Sub-total</i>	<i>\$5,600</i>
<u>Office Space</u>	
<i>CHP office space: 1 cubicle x \$ 500 per cubicle per month x 12</i>	<i>\$6,000</i>
<i>Sub-total</i>	<i>\$6,000</i>
<u>Travel Costs - In-state Travel and accommodations</u>	
<i>Mileage – 12 trips x 500 miles (annually) x \$0.70</i>	<i>\$4,200</i>
<i>Per diem - 12 days x \$180</i>	<i>\$2,160</i>
<i>Sub-total</i>	<i>\$6,360</i>
<i>Total</i>	<i>\$113,996</i>

Section III: Relationship to other legislation

Duplicates: None

Conflicts with: None

Companion to: None

Relates to: None

Duplicates/Relates to an Appropriation in the General Appropriation Act: None

Section IV: Narrative

1. BILL SUMMARY

a) Synopsis

House Bill 178 (“HB 178”) enacts the appropriation of three million dollars (\$3,000,000) from the general fund to the Department of Health for expenditure in fiscal year 2026 and subsequent fiscal years to contract for services for the construction and installation of protective shade structures in rural public parks and other outdoor public-use recreation areas to reduce exposure to ultraviolet (UV) radiation, a primary environmental risk factor for skin cancer. The department shall prioritize project sites that demonstrate inadequate existing shade and significant ultraviolet radiation exposure risk in outdoor activity areas; that provide a feasible project plan, including design, cost estimates and timelines; and that propose cost-effective solutions that maximize ultraviolet radiation protection benefits. Any unexpended balance remaining at the end of a fiscal year shall not revert to the general fund.

Is this an amendment or substitution? Yes No

Is there an emergency clause? Yes No

b) Significant Issues

Heat-related illnesses and most skin cancers are largely preventable. Shade structures can mitigate the impacts for both conditions. Shade structures reduce direct UV exposure and lower ambient temperatures and. Mitigating the risk of skin cancers and heat-related illnesses could reduce disabilities, medical and emotional costs, emergency department visits, hospitalizations, and fatalities.

Heat-related illness in occupational settings is usually addressed by recommending water, rest, and shade. These same tenets apply to the general population. By providing shade, and thus a place to rest in the shade, this proposed intervention would be addressing two of the three recommendations to prevent heat illness.

The Energy, Minerals, and Natural Resources Department (EMNRD) led the development of New Mexico’s [Climate Action and Resilience Plan](#), published in June 2024. NMDOH contributed to this plan. Providing shade structures in parks would span the “Human Health and Wellness” and “Infrastructure and Built Environment” themes. EMNRD also hosts the NM Climate Risk Map (<https://nmclimaterisk.org/>) which could be used in identifying communities most at risk and in need of shade structures. The wording of the bill is not clear regarding whether the initiative is only for shade structures in rural areas, or whether “other outdoor public-use recreation areas” could be in urban areas. If so, NMDOH’s Environmental Public Health Tracking has 26 urban heat maps for cities and towns around the state ([NM Urban Heat Maps](#)).

However, while NMDOH data analysis supports the health benefits of shade in public places, the agency is not well-placed to implement an infrastructure project of this nature. The department’s primary responsibilities include medical service provision, health promotion, collection and analysis of health data and maintenance of facilities for residential and outpatient care. While the department does support partners in evidence-based public health interventions, this project would necessitate decisions about appropriate changes to multiple individual parks and recreation spaces typically constructed and maintained by local municipalities (or EMNRD in the case of state parks). Optimal construction of such spaces does not typically lie within the department’s purview.

2. PERFORMANCE IMPLICATIONS

- Does this bill impact the current delivery of NMDOH services or operations?
 Yes No
- Is this proposal related to the NMDOH Strategic Plan?
 Yes No

3. FISCAL IMPLICATIONS

- If there is an appropriation, is it included in the Executive Budget Request?
 Yes No N/A
- If there is an appropriation, is it included in the LFC Budget Request?
 Yes No N/A
- Does this bill have a fiscal impact on NMDOH?
 Yes No

As outlined above, we estimate one FTE would be needed for three years to manage this appropriation, at an estimated cost of \$114,000 per year.

4. ADMINISTRATIVE IMPLICATIONS

Will this bill have an administrative impact on NMDOH? Yes No

To fulfill the requirements of this bill, the following personnel and associated costs would be required annually starting in FY26 until the funds are used (we estimate three years to fully expend the funds):

\$96,036 for salary + fringe
\$5,600 for office setup
\$6,000 for office space
\$6,360 for travel
\$113,996 total annual cost

5. DUPLICATION, CONFLICT, COMPANIONSHIP OR RELATIONSHIP

None.

6. TECHNICAL ISSUES

Are there technical issues with the bill? Yes No

7. Legal/Regulatory ISSUES (OTHER SUBSTANTIVE ISSUES)

- Will administrative rules need to be updated or new rules written?
 Yes No
- Have there been changes in federal/state/local laws and regulations that make this legislation necessary (or unnecessary)?
 Yes No
- Does this bill conflict with federal grant requirements or associated regulations?
 Yes No
- Are there any legal problems or conflicts with existing laws, regulations, policies, or programs?
 Yes No

8. DISPARITIES Issues

Although everyone is at risk of skin cancer and heat-related illness, this risk may be increased for certain populations such as unhoused individuals or those with outdoor occupations. Specifically for skin cancer, melanoma incidence mortality is far higher among non-Hispanic White New Mexicans than among Hispanics ([nm-melanoma-of-the-skin-2018-2022.pdf](#)). In addition, heat stress hospitalizations have approximately doubled since 2010 ([NM Heat-related Illness - Inpatient Hospital Admissions per 100,000 Population, Age-adjusted](#)). The southern and northwestern regions consistently experience the highest heat-related illness rates considering emergency department visits, hospitalizations, and mortalities ([NM Emergency Department Visits for Heat-related Illness - Visits per 10,000 Population, Age-adjusted](#); [NM Heat-related Illness - Inpatient Hospital Admissions per 100,000 Population, Age-adjusted](#); [NM Deaths - Heat-related Deaths per 100,000 Population, Age-adjusted](#)).

Rural communities often have fewer built-environment protective features and resources; thus, this legislation could support health equity by prioritizing locations with fewer

resources, including inadequate existing shade.

Issues for consideration during implementation may include the burden of maintaining these structures, as communities with limited parks budgets may struggle with upkeep. Tribal community access should also be considered to ensure coordination with Tribal governments and lands, as Tribal communities could be underserved where UV/heat risk is high. Environmental Health Epidemiology Bureau (EHEB) would collaborate with the NMDOH Office of the Tribal Liaison to develop a communication and coordination plan as well as how to allocate funds.

9. HEALTH IMPACT(S)

A 2020 New Mexico Epidemiology Report ([Climate Change and Heat-Related Morbidity in New Mexico by 2030](#)) estimated that the number of hospitalizations and emergency department (ED) visits for heat-related illnesses would double by 2030. In summer 2023, with record-breaking temperatures around the state ([Assessing the U.S. Climate in July 2023 | News | National Centers for Environmental Information \(NCEI\)](#)), there was a 49% increase in heat-related ED visits compared to summer 2022 (National Syndromic Surveillance Program). In addition, heat-related deaths of NM residents increased almost five-fold between 2010 and 2022 ([NM Deaths - Heat-related Deaths per 100,000 Population, Age-adjusted](#)). As this bill is intended to construct shade structures in public parks, it is worth noting that infants and children – who are most likely to use parks – are more susceptible to the effects of heat than other population groups.

Skin cancer is the most common type of cancer in fair-skinned populations in many parts of the world. The incidence, morbidity and mortality rates of skin cancers are increasing and, therefore, pose significant public health concern. ([Ultraviolet radiation and skin cancer - PubMed](#)). Exposure to UV rays is a risk factor for all types of skin cancer. The risk is higher for people with a weakened immune system, a personal or family history of skin cancer, and if they have large or many moles on their skin. Most skin cancers are a result of exposure to the UV rays in natural sunlight ([Does UV Radiation Cause Cancer? | American Cancer Society](#)). Between 2018 and 2022, 2,400 individuals were diagnosed with melanoma in New Mexico with the highest age-adjusted rates in the Albuquerque metro area and the northeastern region ([NM Incidence of Selected Cancers - Age-adjusted Incidence Rates of Melanoma per 100,000 Population Over 5 Years](#)). New Mexico has the second highest annual average daily dose of UV Irradiance (the density of radiation incident on a given surface) (in J/m²) in the US, behind only Arizona ([Melanoma Dashboard | Tracking | NCEH | CDC](#)). Staying in the shade and out of UV rays is a primary prevention tool throughout someone's lifetime.

10. ALTERNATIVES

There are currently no other mechanisms to accomplish what the bill proposes.

11. WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

If HB 178 is not enacted, there will not be money appropriated to build shade structures in rural public parks and other outdoor public-use recreation areas.

12. Amendments

None.