

LFC Requester:

Austin Davidson

**AGENCY BILL ANALYSIS - 2026 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO  
[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto:billanalysis@dfa.nm.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}*

Date Prepared: 1/28/2026

Check all that apply:

Bill Number: HB180Original  Correction Amendment  Substitute 

Sponsor: Rep. Harlan Vincent, Rep. Susan K. Herrera Agency Name and Code Number: Department of Military Affairs 70500

Short Title: Use of Emergency Funds & Disasters Person Writing: Matthew Henry

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**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
0	0	NA	NA

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
0	0	0	NA	NA

(Parenthesis ( ) indicate revenue decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	0	0	0	0	NA	NA

(Parenthesis ( ) Indicate Expenditure Decreases)

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

## **SECTION III: NARRATIVE**

### **BILL SUMMARY**

Synopsis: An Act relating to emergency funding; clarifying the use of certain funds; authorizing expenditures for non-natural disasters from the appropriation contingency fund; renaming the “Federal Reimbursement Revolving Fund” as the “Executive Order for Disasters Fund” and authorizing expenditures from that fund for a natural disaster or a state of martial law.

**FISCAL IMPLICATIONS** – Potentially Significant Impact to the capacity for New Mexico National Guard State Active Duty (SAD) response and the Civil Emergency Response Team (CERT).

### **SIGNIFICANT ISSUES –**

The Adjutant General is continuing to work with DHSEM and the Bill’s sponsor to better understand the implications of this bill. The initial analysis from DMA is below and will be updated as more details become available.

1. Tax Stabilization cap - DMA concern: if the cap binds, the state’s immediate response options shrink—and the Governor will turn to the Guard for time-sensitive capability (swift water rescue, aviation, high-clearance, logistics, comms, security support, mass care support), but without assured funding. HB 180 should not create a structure where response tempo is limited by a static cap rather than incident need.

2. Changing Federal Reimbursement Revolving Fund: The NMNG often supports state-only incidents (wildfires pre-declaration, winter storms, missing persons, critical infrastructure outages, civil support) where FEMA reimbursement may not come—or may come late. If the new fund is depleted, SAD missions could become one of the first things delayed or curtailed. Additionally, this would potentially limit the NMNG’s ability to pre-position Guardsmen and Equipment to more quickly mitigate the effects of a disaster.

3. The biggest DMA red flag: HB 180 appears to remove or weaken the Guard’s dedicated SAD funding stream. It could also have a negative impact on the NMNG CERT capability resulting in longer response times. The NMNG has significantly improved our response times in 2024 and 2025 vs prior years. SAD missions are time sensitive and it is important for communities across the state for Guard to be able to deploy quickly and in some cases before the disaster strikes (ie trained Swift Water teams with proper equipment and High Clearance Vehicles for snow events).

**PERFORMANCE IMPLICATIONS** – Reduced capacity to support state emergencies and increased response time.

**ADMINISTRATIVE IMPLICATIONS** - None noted.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP** – Potentially complicates DMA and DHSEM integration for emergency response.

**TECHNICAL ISSUES** – See above.

**OTHER SUBSTANTIVE ISSUES** – See above.

**ALTERNATIVES** – This issue requires more study and in depth discussion with the Governor’s office and the stakeholder agencies. DMA recommends HB 180 retain a dedicated, continuously appropriated SAD response funding mechanism for NMNG mobilizations under gubernatorial emergency authority, separate from the general executive order disaster fund.

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL** - Status quo remains.

**AMENDMENTS** – None noted.