

LFC Requester:	Austin Davidson
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AGENCY BILL ANALYSIS - 2026 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO
AgencyAnalysis.nmlegis.gov and email to 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: 1/29/2026 *Check all that apply:*
Bill Number: HB 183 Original Correction
 Amendment Substitute

Sponsor: Martin R. Zamora **Agency Name and Code** NMED 667
Short STATEWIDE DRINKING WATER NEEDS **Number:** _____
Person Writing Jonas Armstrong
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
\$5,000.0		Nonrecurring	General Fund

Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: **SB 122**
 Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

House Bill 183 (HB183) provides a nonrecurring five million dollars (\$5,000,000) to the New Mexico Environment Department (NMED) for expenditure in FY26 and FY27 for drinking water needs statewide, including private well testing and water filtration systems.

FISCAL IMPLICATIONS

HB183's appropriation to NMED is a nonrecurring expense to the general fund. Any unexpended or unencumbered balance at the end of FY27 shall revert to the general fund. NMED has an existing FTE managing efforts to support private well sampling, testing and

treatment and does not expect additional operating budget impacts from implementing HB183. NMED investigated the implications of anti-donation laws on the use of state funds to sample private wells along with providing treatment or filtration systems to private owners and received a legal opinion from DFA that there was no violation of the anti-donation law because sampling and provision of treatment or filtration due to a verified public health threat that poses a health risk to people with wells in impacted areas and that public funds will be used to reduce that risk.

SIGNIFICANT ISSUES

Under both the federal Safe Drinking Water Act and New Mexico statutes, private wells are not subject to federal and state regulations and standards. Historically, NMED has had a very limited role in water quality in private drinking water wells, with well owners able to bring in samples for testing to Water Fair events and to NMED field offices.

Despite regulatory limitations, NMED has responded to rising concerns about groundwater quality by significantly increasing services provided to private well owners in areas where contamination is known or suspected. This includes efforts in the Clovis/Cannon Air Force Base area, (Curry County), La Cieneguilla (Santa Fe County), and the burn scar of the Hermit's Peak Calf Canyon (HPCC) fire, (Mora, San Miguel, Taos Counties).

Because NMED does not regulate private wells, the Department does not have base budget from either state or federal funds to support this work, and these efforts have relied on non-recurring appropriations to address PFAS and drinking water issues statewide. SB122 would allow NMED to continue and expand these initiatives. Recognizing this broad statewide need for increased support for residents reliant on private drinking water wells, HB183 does not identify specific communities, geographies, or circumstances that necessitate sampling and allows NMED to respond to a variety of situations that call for support for private well owners.

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Similar to HB183, Senate Bill 122 (SB122) makes a nonrecurring \$6 million appropriation to the New Mexico Environment Department (NMED) for expenditure in FY26 and FY27 to expand the supports available to private drinking water well owners, including support for well water testing and treatment.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

In Curry County, outside of Cannon Air Force Base, residents relying on private wells are impacted by per- and polyfluoroalkyl substances (PFAS) contamination in the groundwater. In Fall 2024, New Mexico offered free PFAS blood testing to adults who lived or worked near Cannon Air Force Base. Additionally, in the 2025 session, the Legislature appropriated \$12 million to support an extension from the water system serving Clovis to these impacted residents. In the meantime, NMED is also offering water sampling and PFAS testing to residents and providing filters when those tests show levels above drinking water standards.

After a Fall 2025 report funded by Santa Fe County identified PFAS contamination in groundwater, NMED is also offering water sampling for PFAS testing and treatment to private well owners in the La Cieneguilla community. The filter installations in Curry County and La Cieneguilla range from \$5,000 to \$10,000 each.

In the HPCC burn scar, NMED is offering private well testing for heavy metals and PFAS following a private report identifying heavy metals in groundwater and connecting that contamination to the fires and fire suppressants. There are approximately 2,000 private wells in the 534-square-mile burn scar and NMED's current funding will only support about 350 tests at an average cost of \$2,000 per well. The additional funding in HB183 would allow NMED to provide tests to each private drinking water well in this area.

NMED anticipates increases in the need to respond to more public health threats associated with private wells as natural disasters including floods, forest fires, and drought escalate over time.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

NMED will continue to address these growing public health threats on a limited basis as able by being forced to prioritize work and divert funding from other critical public health projects and public water system support.

AMENDMENTS

None.