

LFC Requester:**Austin Davidson****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:** Feb 4, 2026

Check all that apply:

Bill Number: HB 284Original Correction Amendment Substitute

		Agency Name	
	Rep. Meredith Dixon	and Code	State Land Office - 539
Sponsor:	<u>Rep. Kristina Ortez</u>	Number:	
Short Title:	<u>CREATE OFFICE OF ENERGY INFO</u>	Person Writing	<u>Sunalei Stewart</u>
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SECTION II: FISCAL IMPACT**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
None - NMSLO	None - NMSLO		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
None	None	None		
None	None	None		

(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	None	Unknown	Unknown	Unknown	Recurring	Land Maintenance Fund

(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: The bill would create an “Office of Energy Information” (“OEI”), which would be administratively attached to the Energy Minerals and Natural Resources Division (“EMNRD”). EMNRD would provide administrative services using a \$3,000,000 appropriation from the general fund. The Governor would have discretion to appoint a director of the OEI with the advice and consent of the senate for an unspecified a term of service.

The OEI would be charged with analyzing current known data and assembling an expansive body of information regarding “energy and emissions data” from “energy-sector entities.” Section 1(A)(1) defines “energy-sector entity” broadly to include the State Land Office and every other person, company or organization which possesses, owns, controls, generates, transmits, stores, processes, and/or transports mineral fuels (i.e. oil and gas) and nonmineral energy sources. This would include electrical generation, production and transmission.

A State Land Office representative would serve on a working group to identify energy and emissions data and propose formats and schedules for future information reporting to the OIE.

FISCAL IMPLICATIONS

The State Land Office would be required to provide “energy and emission data” requested by the OEI. This effort would require staff to collect and interpret limited information about fuel, electrical and water consumption and summarize the same. There is no agency employee currently tasked with these functions nor do State Land Office lessees currently report this information to the agency under their leases. In addition to personnel resources, an undetermined amount of contractual services funds would be necessary to estimate “emissions data.” Additionally, there may be undetermined information technology costs associated with reporting information to the OEI.

SIGNIFICANT ISSUES

While supportive of the general objective to create comprehensive data concerning the energy sector in the state, implementation of the bill may create significant challenges for the State Land Office.

The bill could be interpreted to require the State Land Office, as a defined energy-sector entity, to report production, use, and subsequent emissions data by lessees with whom the State Land Office merely contracts. The State Land Office exercises custody and control of approximately nine million acres of surface estate and 13 million acres of mineral estate dispersed throughout New Mexico, held in trust to support public schools and other state institutions. In furtherance of the State Land Office mission to exercise custody and control of state trust lands to generate revenue for the beneficiary institutions now and into the future, the State Land Office leases land and issues rights of way to other energy-sector entities such as for renewable energy projects and oil and gas

development. The bill requires energy-sector entity lessees engaged in the aforesaid operations to report to the OEI. The State Land Office being required to do so on their behalf would create challenges as the agency relies on the terms of its agreements with private sector entities to obtain information and does not have broad information collection capabilities.

The bill requires the reporting of additional areas that are not currently required to be reported by oil and gas operators (e.g., water used during energy generation, volumes of imports and exports of energy, etc.). As many leases and agreements are already in place, it is unknown if this statute would require said contracts to be amended. Such changes would require significant rule changes, at minimum and information technology changes to collect said data with respect to oil and gas reporting that can then be pulled. Similarly, such data would need be collected by an agency, or multiple agencies, for sources such as geothermal, solar and wind.

The bill also requires the disclosure of costs such as exploration, development, production, transportation, etc. It is unknown how an agency would obtain such information that many companies may deem confidential.

It is also unclear the extent to which information collected would be duplicative U.S. Energy and Information Administration state data that is collected and published by the federal government.

PERFORMANCE IMPLICATIONS

The NMSLO does not possess the requested “energy and emissions data” referred to in Section 1(D)(3)(a-f). Beyond the currently uncalculated information and data about natural gas, gasoline water and electrical consumption at the agency itself, the State Land Office does not and likely cannot determine “energy source and geographic area, the costs associated with energy exploration, development, production, processing, transportation and other significant energy-related function” for all energy-related leasing activity. Similarly, the State Land Office does not and cannot determine “volumes of imports and exports of energy in and out of New Mexico” or “water used during energy generation.” That information would be in the unique possession of other “energy-sector entities,” generally the companies actually engaged in renewable energy, oil and gas, or other energy-related operations, and under the bill they likewise would be required to report to OEI.

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

This bill could also be task force to see what data and information is currently available and where gaps exist, with recommendations that could inform the scope and structure of a future energy office.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS

The bill could be clarified to specify that government agencies like the State Land Office are only required to report on their own known use of energy and estimated emissions. Section 5(E) should be clarified to specify that the State Land Office is not required to report for the energy, mining and electrical companies who lease state land. Suggested edit: “shall provide energy and estimated emissions data [with respect to only their own operations] requested by the office of energy information.” The bill could also clarify the exact energy sector to which this applies and the exact information each agency would be required to report.