

LFC Requester:

Austin Davidson

AGENCY BILL ANALYSIS - 2026 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

[AgencyAnalysis.nmlegis.gov](https://www.legis.nm.gov/AgencyAnalysis) 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: 2/5/2026

Check all that apply:

Bill Number: HB 319Original Correction Amendment Substitute

Sponsor:

Rep. Kristina Ortez

Short

SOLID WASTE SURCHARGE

Title:

Agency Name
and CodeRegulation & Licensing Dept.
(RLD), 420

Number:

Person Writing

Kevin Graham

Phone: 505-274-0214Email Kevin.graham@rld.nm.gov**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
N/A	N/A	N/A	N/A

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 revenue 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:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE
BILL SUMMARY

Synopsis: House Bill 319 (HB 319)

HB 319 would create a new “regenerative waste management surcharge” on each landfill operating in the state, administered under the taxation laws. HB 319 would amend two sections and add one new section to the Recycling, Circular Economy and Illegal Dumping Act (RCEIDA), and would amend one section and add one new section to the Tax Administration Act (TAA).

HB 319 would create the new surcharge by adding a new section to the RCEIDA as contained in Article 13 of the Environmental Improvement Act, Chapter 74. The surcharge is proposed to be two dollars (\$2.00) per ton of solid waste accepted at the landfill and a reduced surcharge of one dollar and fifty cents (\$1.50) per ton for an onsite composting facility. The new section also provides for administration of the surcharge to be in accordance with the TAA, with the Taxation and Revenue Department authorized to retain an administrative fee of up to three percent (3%) of the amount collected, and requiring the New Mexico Environment Department to report annually beginning in 2028, on the amount collected.

HB 319 would further amend the RCEIDA to add certain definitions to section 3 and would also amend section 17 regarding grants awarded under the RCEIDA consistent with its provisions. HB 319 would also amend and add new material to Chapter 3, Taxation, specifically, article 1, the Tax Administration Act,

The bill as proposed would be effective on July 1, 2027.

FISCAL IMPLICATIONS

If enacted, HB 319 is not expected to have a direct fiscal or operational impact on the Regulation and Licensing Department.

SIGNIFICANT ISSUES

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS