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**AGENCY BILL ANALYSIS
2026 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

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{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Click all that apply:

Original **Amendment**
Correction **Substitute**

Date Prepared: 2026-01-30
Bill No: HJR11

Sponsor: Pettigrew, Randall T
INTERIM ADMIN. RULE
Short Title: OVERSIGHT COMMITTEE, CA

Agency Name and Code: NMHED
Number: _____
Person Writing: Gallegos, Brittany
brittany.
Phone: 5056706478 **Email:** gallegos@hed.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

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue	Recurring	Fund Affected

FY26	FY27	FY28	or Nonrecurring	
N/A	N/A	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure 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

House Joint Resolution 11 (HJR11) amends Article Four of the Constitution of New Mexico by adding language to create a permanent interim Administrative Rule Oversight Committee composed of members of the New Mexico Legislature. The committee would review proposed executive agency rules, provide recommendations, and assess whether rules align with authorizing statutes. If the committee determines a rule does not comply with legislative intent, it may recommend that the Legislature overturn the rule during a legislative session.

This resolution requires that the proposed constitutional amendment be submitted to voters for approval or rejection at the next general election, or at a special election held prior to that date if called for that purpose.

The New Mexico Higher Education Department's (NMHED's) analysis of this bill focuses on the higher education implications of the proposed legislation. Additional insight may be obtained from other agencies' analyses.

FISCAL IMPLICATIONS

There is no appropriation attached to HJR11 and no apparent cost to the state in amending Article Four of the Constitution of New Mexico. However, if the amendment goes to voters, there may be election-related costs for the general election or a special election. It is important to note that HJR11's companion bill, HB230, includes a two-million-dollar (\$2,000,000) appropriation to the Legislative Council Service to staff the proposed committee and support its operations.

Additionally, establishing a permanent interim legislative committee with required regular meetings could result in ongoing administrative and staffing costs for the Legislature, which may be absorbed within existing legislative resources.

SIGNIFICANT ISSUES

The amendment adds a new section to Article Four of the Constitution of New Mexico establishing a permanent Interim Administrative Rule Oversight Committee and defining its structure and authority, including that:

- The committee shall consist of twelve legislators appointed by the majority and minority leadership of both the House and Senate; and
- The committee shall meet at least once per month during the interim between legislative sessions.

The following provisions are established within the new constitutional section:

- Subsection A: Creates the Interim Administrative Rule Oversight Committee and defines its membership and appointment structure.
- Subsection B: Establishes leadership rotation requirements, including alternating chairs between chambers and ensuring representation of the two largest political parties.
- Subsection C: Sets member terms, outlines procedures for vacancies and removal, and ties service to continued legislative membership.
- Subsection D: Requires the committee to meet no fewer than once per month during the interim.
- Subsection E: Authorizes the committee to review proposed executive agency rules prior to public hearings, provide recommendations to agencies, suggest statutory changes to clarify legislative intent, and direct committee staff work.
- Subsection F: Allows the committee, if it determines a rule does not comply with its authorizing statute, to recommend that the Legislature overturn the rule during a legislative session and authorizes the Legislature to overturn agency rules pursuant to that recommendation.

Although HJR11 does not specifically reference higher education, public colleges and universities would be affected to the extent that their governing agencies promulgate administrative rules. If adopted, the proposed Interim Administrative Rule Oversight Committee would have authority to review and recommend overturning rules issued by state agencies, which could include rules related to higher education finance, academic programs, licensure, or student services. This may introduce an additional layer of legislative review in the rulemaking process affecting higher education policy and operations. Over time, this could influence the timing, stability, and predictability of regulatory frameworks under which public institutions operate.

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

HJR11 does not assign any direct administrative responsibilities to public higher education institutions or NMHED. However, to the extent that higher education-related agencies or NMHED engage in rulemaking processes subject to review by the proposed Interim Administrative Rule Oversight Committee, there may be minor additional administrative activity associated with monitoring legislative review timelines, responding to committee inquiries, or adjusting implementation schedules if rules are

delayed or overturned. These impacts would depend on the scope and frequency of rule reviews and are not expected to require new administrative structures at this time.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

House Bill 230 (HB230) is a companion bill to HJR11 and would implement the statutory framework necessary to carry out the proposed constitutional amendment. HB230 creates the Interim Administrative Rule Oversight Committee in statute, establishes its duties and rule review procedures, and requires legislative staff to prepare analyses of proposed agency rules. The bill also amends the State Rules Act to require a fiscal impact statement for proposed rules estimated to cost more than one million dollars (\$1,000,000) and allows the committee to request fiscal analysis for other rules. HB230 includes an appropriation of two million dollars (\$2,000,000) to the Legislative Council Service to staff the committee and support its operations.

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

If HJR11 is not enacted, no changes will be made to Article Four of the Constitution of New Mexico, and the Legislature will not be granted constitutional authority to establish an interim administrative rule oversight committee or to overturn agency rules.

AMENDMENTS

N/A