

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: February 5, 2026 *Check all that apply:*
Bill Number: SB 18a Original Correction
 Amendment Substitute

Sponsor: Sens. Stewart, Charley & Nava **Agency Name and Code** 430 – Public Regulation Commission
Short Title: Reps. Ortez & Romero **Number:** _____
Clear Horizons and Emissions Codification **Person Writing** Scott Cameron
Title: _____ **Phone:** (505)490-2696 **Email** jerri.mares@prc.nm.gov

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

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		

(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						

(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:

SB 18 seeks to amend the Environmental Improvement Act (“EIA”) and the Air Quality Control Act (“AQCA”) by adding new definitions and sections to each.

Specifically, in Section 1, the Bill would add definitions for “greenhouse gas” and “statewide greenhouse gas emissions” to the EIA, as well as including one minor clean up edit to the definition of “department”.

Section 2 of the Bill would add a new section to the EIA that places specific limits on greenhouse gas emissions over the next 15 years, and states how these reductions may be achieved.

Section 3 of the Bill is nearly identical to Section 1, but for the AQCA. Besides the same definitions for greenhouse gases and statewide greenhouse gas emissions, it adds definitions for “greenhouse gas intensity”, “non-reservation Indian land”, and “reservation”.

Finally, Section 4 of the Bill adds a new section to the AQCA that directs the environmental improvement board (“EIB”) and local board to adopt rules and plans to implement the reduction of greenhouse gas emissions such that they meet the new limitations described in the new sections of the EIA and AQCA, as well as to publish annual greenhouse gas emissions reports, consult with tribal governments on rulemakings, and set a fee schedule to implement the new provisions.

Senate Conservation Committee Amendment

The SCC Amendment (“the Amendment”) changes the wording in Section 4 of the Bill, related to additional powers and duties granted to the EIB in the AQCA. Specifically, the Amendment modifies what the EIB has to do when adopting or amending a plan or rules for the reduction of greenhouse gas emissions, the EIB must now “meet or exceed” state and federal laws, rules, and enforceable requirements that contribute to reductions in greenhouse gas emissions, rather than “take [them] into consideration”.

FISCAL IMPLICATIONS

N/A

SIGNIFICANT ISSUES

N/A

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

TECHNICAL ISSUES

The title of the new material in Section 2 includes the term “REPORTING REQUIREMENTS”, but the additional proposed language does not include reporting requirements.

OTHER SUBSTANTIVE ISSUES

Section 4(E)(4) of SB18 requires “consideration” of “other relevant state and federal laws, rules and enforceable requirements that contribute to reductions in greenhouse gas emissions;”. If a plan promulgated under this bill, “considers”—but ultimately rejects—those other relevant statutes, questions may arise regarding the continued enforceability of those other statutes. Additionally, this process could be viewed as limiting or displacing the jurisdiction of other regulatory entities responsible for enforcing those statutory requirements.

Senate Conservation Committee Amendment

The Amendment addresses the issue with the original Bill outlined immediately above - “meet or exceed” is a higher, more measurable standard that does not have the same potential negative consequences as the previous language.

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo

AMENDMENTS

N/A