

LFC Requester:

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**AGENCY BILL ANALYSIS - 2026 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO  
[AgencyAnalysis.nmlegis.gov](https://www.legis.nm.gov/AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto: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: 2/12/2026

Check all that apply:

Bill Number: SB 152sOriginal  Correction Amendment  Substitute 

Sponsor: Sen. Padilla, Rep. Herndon &  
Rep. Sarinana

Agency Name  
and Code  
Number:

430 – Public Regulation  
Commission

Short Title: LOW-INCOME TELECOMM.  
ASSISTANCE PROGRAM

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**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
<b>Total</b>						

(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:**

Senate Bill 152 (“SB 152”) makes several major changes to the State Rural Universal Service Fund (the “SRUSF”) and makes other amendments to various articles within Chapter 63 to align with the proposed changes to the SRUSF.

First, SB 152 establishes a Low-Income Telecommunications Assistance Program, supported by the SRUSF, to ensure affordable access to telecommunications services for eligible low-income households in New Mexico. In conjunction with establishing this program, SB 152 repeals the Low-Income Telephone Service Assistance Act, which provides a similar affordability program focused solely on telephone service. SB 152 establishes reporting requirements regarding the participation and management of the Low-Income Telecommunication Assistance Program.

Second, SB 152 restructures the SRUSF by replacing the overall fund cap with individual caps for each program supported by the SRUSF. SB 152 replaces the current cap of \$40 million, under which the Commission allocates all SRUSF obligations based on statutory priorities, with distinct caps for each SRUSF obligation. Under these program-specific caps, the total obligation of the SRUSF can reach \$75 million.

Third, SB 152 removes the sunset date for access reduction payments made through the SRUSF. Under current law, access reduction support was set to expire after December 31, 2026. SB 152 eliminates this termination date, allowing the support to continue indefinitely.

Fourth, SB 152 modifies the Broadband Program by requiring the Commission to follow the quality of service standards, which include speed requirements, set within the Broadband Access and Expansion Act or by the Federal Communications Commission.

Lastly, SB 152 makes conforming amendments to support the larger changes discussed above.

#### **Senate Finance Committee Substitute**

The Senate Finance Committee’s Substitute (the “Substitute”) makes several changes that clarify the original bill, restores language from the existing statute that had been removed, adds further detail regarding reporting requirements, and broadens the definition of areas eligible to be served by the Broadband Program.

The clarifying changes introduced by the Substitute, include taking out prioritization language for use of SRUSF moneys that were inconsistent under the proposed program-specific funding caps.

The Substitute revises the definition of “unserved” and “underserved” by basing these definitions on whether an area has “fixed *and* mobile” internet at specific speed thresholds, which may expand the number of areas eligible to be served by projects seeking Broadband Program support. Under the Substitute, the new definitions effectively require redundancy in the type of internet service available, rather than mere general access to internet service.

The Substitute also provides additional guidance regarding the information that should be provided in the annual reports.

## **FISCAL IMPLICATIONS**

To collect the funds necessary to support the obligations of the SRUSF, the Commission imposes a surcharge on each communications connection in the state. These proposed measures, along with a subsequent \$45 million increase in later years, may raise concerns about the increase in the surcharge for each carrier and its subscribers. The Commission estimates that if all programs reach their respective cap amounts, the surcharge will amount to over \$2.00 per communications connection.

### **Senate Finance Committee Substitute**

The Fiscal Implications cited above in the original analysis remain.

## **SIGNIFICANT ISSUES**

SB 152 amends the Broadband Program to require a quality of service standard, which may include upload and download speeds, that align with those set by the Federal Communications Commission (“FCC”) or as established pursuant to the Broadband Access and Expansion Action. This requirement may run counter to the mandate that Broadband Program applications be considered in a technologically neutral manner and counter to the purpose of the Rural Telecommunications Act, which is intended to promote competitiveness. The quality of service standards adopted by the FCC favors fiber-optic infrastructure, which may be difficult to deliver to underserved or unserved areas. Alternative measures should be considered for certain speed requirements in areas that cannot be supported by fiber-optic infrastructure, relying on other means or technology.

### **Senate Finance Committee Substitute**

The Significant issues cited above in the original analysis remain.

## **PERFORMANCE IMPLICATIONS**

N/A

## **ADMINISTRATIVE IMPLICATIONS**

The provisions of SB 152 increases the commission’s administrative responsibilities by requiring rulemaking to amend its regulations, multiple agency coordination, and expanding annual reporting requirements. Additional workload will result from alignment with federal universal service programs, verification of tribal consent, and coordination with the office of broadband access and expansion, the public education department, and the health care authority.

### **Senate Finance Committee Substitute**

The Administrative Implications cited in the original analysis remain.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

None noted.

**TECHNICAL ISSUES**

N/A

**OTHER SUBSTANTIVE ISSUES**

N/A

**ALTERNATIVES**

N/A

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Status Quo

**AMENDMENTS**

Section 7, Subsection B is unnecessary and should be removed for clarity. Because the Commission collects only the funds necessary to fulfill its annual obligations and each program has a set cap, there will not be unallocated SRUSF money.

**Senate Finance Committee Substitute**

The Substitute resolves previously cited concern.