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**AGENCY BILL ANALYSIS
2026 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

DFA@STATE.NM.US

{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: 2026-02-02
Bill No: SB199

Sponsor: Campos, Pete
FUND DISBURSEMENTS
Short Title: FOR EDUCATIONAL RADIO

Agency Name and Code NMHED
Number: _____
Person Writing: Gallegos, Brittany
brittany.
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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

Senate Bill 199 (SB199) amends Section 21-1-34 NMSA 1978, which governs the Educational Television Equipment Replacement Fund. The proposed amendment would allow disbursements to be used for educational radio equipment in addition to educational television. The bill directs the New Mexico Higher Education Department (NMHED) to develop criteria and promulgate rules for distributing funds to educational television and radio stations operated by state higher education institutions or public schools. SB199 also expresses legislative intent that future appropriations include a specific line item for educational television and radio equipment replacement.

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

Although the bill title references an appropriation, SB199 does not contain an appropriation in the bill text. Instead, the bill amends Section 21-1-34 NMSA 1978 to expand allowable uses of the Educational Television Equipment Replacement Fund to include educational radio equipment in addition to educational television.

As written, the bill does not provide new funding but would allow existing or future appropriations to be used for educational radio equipment in addition to educational television.

SIGNIFICANT ISSUES

SB199 amends Section 21-1-34 NMSA 1978 to expand the allowable uses of the Educational Television Equipment Replacement Fund to include educational radio equipment, in addition to educational television. The bill maintains the role of NMHED in developing criteria and promulgating rules for fund disbursement and in authorizing payments through the Department of Finance and Administration.

The amendment broadens eligibility to include equipment replacement at educational television and radio stations operated by state institutions of higher education or public schools. While higher education institutions are clearly included, the term “public schools” is not defined in the statute. It is unclear whether this refers to K–12 school districts and charter schools, state-supported schools, or another category of public educational entities. Clarification may be needed to ensure consistent interpretation of eligibility.

The bill also expresses legislative intent that future appropriations include a specific line item for educational television and radio equipment replacement. This language signals an expectation of continued support but does not create a funding requirement.

PERFORMANCE IMPLICATIONS

SB199 does not outline specific performance measures; however, if funds are appropriated to the Educational Television Equipment Replacement Fund, NMHED may need to incorporate performance or reporting expectations into its rulemaking and disbursement criteria for eligible educational television and radio stations.

ADMINISTRATIVE IMPLICATIONS

SB199 may require the New Mexico Higher Education Department (NMHED) to update existing rules and criteria governing the Educational Television Equipment Replacement Fund to incorporate eligibility for educational radio equipment in addition to educational television. NMHED may need to revise application materials, guidance, and review processes to reflect the expanded scope of allowable uses.

If the term “public schools” is interpreted to include K–12 school districts or charter schools, NMHED may also need to coordinate with the New Mexico Public Education Department (NMPED) to clarify eligibility and administrative responsibilities for stations not affiliated with higher education institutions.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

As of January 28, 2026, there are no bills that conflict with, duplicate, or serve as a companion to SB199.

It is important to note that while SB199 does not contain an appropriation, SB200 appropriates five hundred thousand dollars (\$500,000) to NMPED for the KANQ education radio station to purchase equipment and add resources for reporters to cover rural New Mexico news.

TECHNICAL ISSUES

The bill title and description reference an appropriation. However, the bill text does not include an appropriation and instead amends Section 21-1-34 NMSA 1978 to expand allowable uses of the Educational Television Equipment Replacement Fund. Clarification may be needed to determine whether a separate appropriation is intended or if the bill is solely authorizing expanded use of existing or future funds.

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

If SB199 is not enacted, the Educational Television Equipment Replacement Fund would remain limited to educational television equipment, and funds could not be used for educational radio equipment at stations operated by higher education institutions or public schools.

AMENDMENTS

N/A