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## FISCAL IMPACT REPORT

**BILL NUMBER:** House Bill 231

**SHORT TITLE:** Rulemaking Info to Legislators

**SPONSOR:** Pettigrew/Block/Mason

**LAST ORIGINAL**  
**UPDATE:** \_\_\_\_\_ **DATE:** 2/13/2026 **ANALYST:** Gygi

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT\* (dollars in thousands)

Agency/Program	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
LCS	No fiscal impact	No fiscal impact	No fiscal impact	No fiscal impact		

Parentheses ( ) indicate expenditure decreases.

\*Amounts reflect most recent analysis of this legislation.

Relates to House Joint Resolution 11 and House Bill 230

### Sources of Information

LFC Files

Agency or Agencies Providing Analysis

New Mexico Compilation Commission

State Ethics Commission

Agency or Agencies That Were Asked for Analysis but did not Respond

Attorney General

Department of Finance and Administration

## SUMMARY

### Synopsis of House Bill 231

House Bill 231 (HB231) enacts a new section of the State Rules Act to establish a formal process for distributing rulemaking information to state legislators. The bill requires each state agency to provide the Legislative Council Service (LCS) with an email address for the agency's custodian of rulemaking records. Under the bill, LCS is responsible for maintaining a centralized list of these agency rulemaking contacts for distribution to legislators.

This bill does not contain an effective date and, as a result, would go into effect 90 days after the Legislature adjourns, which is May 20, 2026.

## **FISCAL IMPLICATIONS**

This bill does not include an appropriation. There is no anticipated fiscal impact on the Legislative Council Service.

## **SIGNIFICANT ISSUES**

State agencies are required to have a custodian of records. HB231 requires every state agency to provide to the Legislative Council Service an email address for the agency's custodian of rulemaking records. The bill also requires LCS to maintain that list for distribution to state legislators. The new section of statute is intended to improve legislators' access to information regarding agency rulemaking activity by creating a standardized point of contact within each agency.

The State Ethics Commission (SEC) states HB 231 does not alter existing rulemaking procedures or substantive agency authority. The bill would make it easier for legislators to find contact information for each state agency's records custodian. SEC provides context regarding current statute:

Under existing law, the State Rules Act establishes a framework for the promulgation, filing, and public availability of agency rules. Statute (see NMSA 1978, Section 14-4-3) requires agencies to file adopted rules with the state records administrator, who maintains the rules as permanent public records. Proposed and filed rules are published on the records center website, in the New Mexico Register, and final rules are compiled into the New Mexico Administrative Code, making agency rules broadly accessible to the public through established online portals.

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

HB231 is a companion bill to HJR11 and House Bill 230. HJR11 proposes a constitutional amendment to authorize the creation of an interim administrative rule oversight committee and to allow the Legislature to overturn agency rules, while HB230 establishes the statutory structure, procedures, and staffing necessary to implement that authority. If HJR11 is not approved by voters, the constitutional authority envisioned in HB230 would not be established.

## **TECHNICAL ISSUES**

SEC notes: "HB 231 introduces the term 'custodian of rulemaking records' by requiring agencies to provide an email address for that role. The bill does not define the term."

KG/dw/ct