

LFC Requester:	LFC
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**AGENCY BILL ANALYSIS
2024 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 2024-01-31

Bill No: SB263

Sponsor: Sanchez, Joshua A
Short NMSU WOMEN'S SPORTS
Title: NUTRITIONIST

Agency Name
and Code NMHED
Number: _____

Person Writing Comes, Douglas
Phone: 5056706478 Email douglas.comes@hed.n

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
N/A	\$500.00	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		

N/A	N/A	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY24	FY25	FY26	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

SB263 appropriates five hundred thousand dollars (\$500,000) from the General Fund to the Board of Regents of New Mexico State University (NMSU) for expenditure in FY25 and subsequent fiscal years for hiring a sports nutritionist to consult with the university's women's sports teams.

FISCAL IMPLICATIONS

SB263 appropriates five hundred thousand dollars (\$500,000) from the General Fund to the Board of Regents of New Mexico State University (NMSU) for expenditure in FY25 and subsequent fiscal years for hiring a sports nutritionist to consult with the university's women's sports teams. Any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert to the General Fund.

SIGNIFICANT ISSUES

SB263 appropriates five hundred thousand dollars (\$500,000) from the General Fund to the Board of Regents of New Mexico State University (NMSU) for expenditure in FY25 and subsequent fiscal years for hiring a sports nutritionist to consult with the university's women's sports teams.

The NMSU Athletics staff directory does not currently show any nutritionists on staff for men's or women's sports. A dietician is on staff with no specific assignment to men's or women's sports.

NMSU's closest peer in terms of athletics among New Mexico's higher education institutions (HEIs) is the University of New Mexico (UNM), as both institutions compete in the National Collegiate Athletic Association's (NCAA) Division I. The UNM Athletics staff directory does not list a nutritionist or a dietician on staff. However, UNM Athletics webpages do exist that show a sports dietician and a director of nutrition. It is possible these webpages are out of date.

NMSU currently competes in nine women's sports: basketball, cross country, golf, soccer, softball, swimming and diving, tennis, track and field, and volleyball.

AS NMSU does not appear to have a nutritionist on staff for men's or women's sports, in order to meet Title IX requirements on equal access to resources, any staff hired specifically for sports for one gender would need to have an equal staff position for the other. Alternatively, a nutritionist or a nutrition team could serve athletic teams for both genders.

NMSU did not submit this request to the NMHED for possible incorporation into the NMHED higher education comprehensive funding recommendation. The NMHED has a formal process for reviewing earmarked budget requests for higher education institutions when developing the NMHED funding recommendation.

The NMHED submitted its higher education funding recommendation to the Department of Finance and Administration (DFA) and the Legislative Finance Committee (LFC) on November 1 as is required by statute. (9-25-9 NMSA 1978)

PERFORMANCE IMPLICATIONS

There are no performance implications associated with SB263. If enacted, New Mexico State University (NMSU) could partner with the New Mexico Higher Education Department (NMHED) to create performance parameters for these funds.

ADMINISTRATIVE IMPLICATIONS

New Mexico State University (NMSU) would administer these funds.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

New Mexico State University (NMSU) could seek outside sources of funding which would pay for the hiring of a women's sports nutritionist, such as private philanthropy or athletics fundraising.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

If SB263 is not enacted, New Mexico State University (NMSU) may not hire a women's sports nutritionist.

AMENDMENTS

N/A