

LFC Requester:

Anne Hanika-Ortiz

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**SECTION I: GENERAL INFORMATION***{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}***Date Prepared:** 02/21/2025*Check all that apply:***Bill Number:** SB 56 COSOriginal ☐ Correction ☐Amendment ☐ Substitute ☒**Sponsor:** Pat Woods**Agency Name
and Code**New Mexico Livestock Board
50800**Short** Livestock Info During**Person Writing**Belinda Garland**Title:** Epidemic**Phone:** 505-841-6161**Email** Belinda.garland@nmlb.nm.gov**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
	\$0		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
	\$0	\$0		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Software Purchase	\$0	\$50k - \$200k	\$0	\$50k - \$200k	Nonrecurring	General Fund
Annual Maintenance	\$0	\$1k - \$8k	\$1k - \$8k	\$2k - \$16k	Recurring	General Fund
Contract Expense	\$0	\$1.6k - \$3.2k	\$1.6k - \$3.2k	\$3.2k - \$6.4k	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

Senate Bill 56 (SB56) authorizes the New Mexico Livestock Board (NMLB) or its authorized representatives to protect specific information, as outlined in the bill, that would identify livestock producers and their operations during an active disease or animal health investigation. Information that would be protected is consistent with personally identifiable information and other details that would normally be protected under the valid veterinary-client-patient relationship relative to part S of the New Mexico Administrative code 16.25.3.8 and is similar to what is protected by the Health Insurance Portability and Accountability Act that protects sensitive health information for humans. This bill does not propose the withholding of pertinent information regarding disease or risk factors that are associated with a disease or animal health event, and it supports sharing information with state and federal agencies involved in the investigation. SB56 would strictly protect the individual and specific information related to livestock production that would create a vulnerability to a livestock operation that could result in harm to the individual, their livestock, their facility, or their employees. This bill is critical to protecting the infrastructure of our food supply.

FISCAL IMPLICATIONS

Fiscal implications to the operating budget are:

- The purchase and maintenance of a data management software system designed to store and manage sensitive information, as outlined in the bill. Software will ensure proper access controls, data encryptions, audit trails, and robust safeguards to protect data from unauthorized access or breaches. Estimated cost \$50,000 to \$200,000 for initial purchase and \$1,000 to \$8,000 per year for software maintenance.
- Labor hours involved in the collection and entry of data. In addition, labor hours related to redacting specific information in response to requests for information. Estimating a range between 80 to 160 hours per epidemic at a contract rate of \$20/hour for a total cost ranging from \$1,600 to \$3,200.

The initial cost of implementing SB 56 is minimal compared to the devastating financial repercussions of a destabilized livestock/food industry. Without proper regulations, the risk of unmitigated disease outbreaks increases dramatically. This will lead to significant financial losses for livestock producers. By preventing catastrophic losses and preserving the livelihoods of livestock producers, the ordinance offers a cost-effective solution that far outweighs the potential expense of inaction. The modest cost of implementation is a small price to pay for the long-term health and sustainability of our food system.

SIGNIFICANT ISSUES

Livestock producers and their veterinarians are the front line in detecting diseases that affect their industry and subsequently the food supply for the state, nation, and world. Reporting of disease is mandated in statute 77-3-2 subsection A of NMSA 1978. Violation of this statute is punishable by a misdemeanor per statute 77-3-2 subsection C of NMSA 1978. The fear of repercussions of reporting a disease, such as damage to marketability or targeting by media or agroterrorism activity, far outweigh the penalty of not reporting. Protecting the identity of producers encourages them to safely communicate with NMLB veterinary staff and livestock

inspectors early in the onset of disease or an issue affecting animal health when we have the best chance of identifying, containing, and potentially eliminating an issue that could threaten the livelihood of the industry as well as the security of our food supply.

PERFORMANCE IMPLICATIONS

Early detection of high impact diseases or threats to animal health will help our agency to better protect the industry and food supply.

ADMINISTRATIVE IMPLICATIONS

None

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None

TECHNICAL ISSUES

The amendment that removes the statute reference for the veterinary-client-patient relationship and replaces it with “board regulations” may cause confusion as to which board has authority in this section. The statute that defines veterinary-client-patient relationship is in the Veterinary Practice Act, which is under the jurisdiction of the NM Board of Veterinary Medicine rather than the NM Livestock Board.

OTHER SUBSTANTIVE ISSUES

Other states including Colorado (C.R.S. 35-57.9-103) and Texas (Tex. Agriculture Code Sec. 161.009) have enacted similar provisions protecting sensitive operational details of livestock operations.

ALTERNATIVES

None

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

If this bill is not enacted, our agency will continue to be challenged with timely communication from producers due to fear of their personal information being reported. Risks of releasing this information during an investigation include:

- Vulnerability of private individuals, their facilities, livestock, and employees to harm from multiple sources; if harm results in an act of agroterrorism, then liability of that falls on our agency for releasing this type of privileged information.
- Unmitigated spread of contagious diseases or other threats to health of livestock that could spread across multiple industries; if a disease is zoonotic or an animal health issue impacts human health, then the problem becomes a public health risk that emphasizes the urgent need for reporting and control of the situation.

AMENDMENTS

Clarify “board regulations” on page 3, line 1, to read “New Mexico board of veterinary medicine regulations.”