LFC Requester:	Hernandez
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AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

<u>AgencyAnalysis.nmlegis.gov</u> and email to <u>billanalysis@dfa.nm.gov</u> (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:	February 22, 2025	Check all that apply:			
Bill Number:	HB 507	Original	Х	Correction	
		Amendment Subs		Substitute	

Sponsor:	Rep. Hernandez	Agency Name and Code Number:	State Ethics Commission (410)
Short	ABQ Isotopes License Plate	Person Writing	Caroline "KC" Chato
Title:		Phone: <u>362-9617</u>	Email <u>caroline.chato@sec.nm.gov</u>

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring	Fund	
FY25	FY26	or Nonrecurring	Affected	

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring	Fund
FY25	FY26	FY27	or Nonrecurring	Affected

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

SECTION III: NARRATIVE

BILL SUMMARY

<u>Synopsis</u>: House Bill 507 creates an Albuquerque Isotopes Special Registration Plate. A fee of \$35.00 is charged in addition to the vehicle's registration with a renewal fee of \$25.00. Revenues from the fees is distributed to the department (defined under NMSA 1978, § 66-1-4 for purposes of the Motor Vehicle Code to "mean the taxation and revenue department") and to the board of regents of the university of New Mexico for the Carrie Tingley crippled children's hospital.

FISCAL IMPLICATIONS

SIGNIFICANT ISSUES

Article IX, Section 14 of the New Mexico Constitution (the "Anti-Donation Clause") is not implicated when the parties involved in a donative transfer are a state agency and another governmental entity. See City of Gallup v. N.M. State Park & Recreation Comm'n, 1974-NMSC-084, ¶ 11, 86 N.M. 745 (holding that the anti-donation prohibition "is inapplicable . . . when the parties involved are the State and its subordinate governmental agencies"); Wiggs v. City of Albuquerque, 1952-NMSC-013, ¶ 20, 56 N.M. 214 ("[W]e have held this provision has no application where the lending of credit is under legislative sanction by one subordinate governmental agency to another. Accordingly, if this be a lending of credit by the City of Albuquerque to the University as claimed, it constitutes no violation of this constitutional provision.") (citing Harrington v. Atteberry, 21 N.M. 50 (N.M. 1915); White v. Bd. of Educ. of Silver City, 42 N.M. 94 (N.M. 1938); and Hutcheson v. Atherton, 44 N.M. 144 (N.M. 1940))). The legislature can allow for the transfer of funds to a subordinate governmental entity, including the department and the board of regents of the university of New Mexico, without implicating the Anti-Donation Clause.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS