

<b>LFC Requester:</b>	<b>Clark, Jon</b>
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**AGENCY BILL ANALYSIS  
2014 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}*

*Check all that apply:*

**Original**      X   **Amendment**            
**Correction**           **Substitute**          

**Date** February 6, 2014

**Bill No:** HB346-305 Feb 6

**Sponsor:** Rep. Thomas C. Taylor

**Reviewing** Attorney General's Office

**Short** Digital Media Accelerator

**Person Writing** Luis Carrasco, AAG

**Title:** Business Program

**Phone:** 827-6040    **Email** LCarrasco@nmag.gov

**SECTION II: FISCAL IMPACT \*\*\*\*FOR LFC OFFICIAL PURPOSES\*\*\*\***  
**AGO STAFF SHOULD LEAVE SHADED AREAS BLANK**

**APPROPRIATION (dollars in thousands)**

<b>Appropriation</b>		<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>FY14</b>	<b>FY15</b>		

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:

Duplicates/Relates to Appropriation in the General Appropriation Act

**REVENUE (dollars in thousands)**

<b>Estimated Revenue</b>			<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>FY14</b>	<b>FY15</b>	<b>FY16</b>		

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates, Relates to, Conflicts with, Companion to

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

	<b>FY14</b>	<b>FY15</b>	<b>FY16</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>						

(Parenthesis ( ) Indicate Expenditure Decreases)

**SECTION III: NARRATIVE**

This analysis is neither a formal Attorney General’s Opinion nor an Attorney General’s Advisory Opinion Letter. This is a staff analysis in response to the agency’s, committee’s or legislator’s request.

**BILL SUMMARY**

Summary Synopsis:

House Bill 346 (“HB346”) is a proposal to amend the Economic Development Department Act, NMSA 1978, Section 9-15-1 to – 15 (1983, as amended through 2006) by adding two new sections related to economic development in the context of digital media small businesses. Section 1 of HB346, if enacted, would direct the Secretary of Economic Development to establish the “digital media accelerator” as a business development program for digital media small businesses designed to produce jobs and trained workers in the digital media industry. The “digital media accelerator” program, coordinated by the New Mexico film division, would ostensibly achieve these goals through the provision of technical assistance, consulting, mentoring, business training, marketing assistance services and networking opportunities to digital media small businesses.

Section 2 of HB346 creates within the state treasury the “digital media accelerator revolving fund.” Funds to be collected in the “digital media accelerator revolving fund” would include payments from digital media accelerator clients, appropriations, gifts, grants, donations, bequests, income from investment of the fund and money otherwise accruing to the fund. HB346 provides that funds in the digital media accelerator fund shall not revert to any other fund at the conclusion of a fiscal year. The Economic Development Department would be tasked with responsibility for administering the fund and the monies in the fund are appropriated to the Economic Development Department for the maintenance, operation and expansion of the digital media accelerator program.

**FISCAL IMPLICATIONS WITH ENACTING THIS BILL**

None noted.

**SIGNIFICANT LEGAL ISSUES**

None noted.

**PERFORMANCE IMPLICATIONS WITH ENACTING THIS BILL**

None noted.

**ADMINISTRATIVE IMPLICATIONS WITH ENACTING THIS BILL**

None noted.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP WITH BILLS  
INTRODUCED THIS SESSION**

None noted.

**TECHNICAL ISSUES OR DRAFTING ERROR**

None noted.

**OTHER SUBSTANTIVE LEGAL ISSUES**

None noted.

**ALTERNATIVES TO ENACTING THIS BILL**

None noted.

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Status quo. The digital media accelerator program within the Economic Development Department/New Mexico Film Division and the digital media accelerator revolving fund within the state treasury will not exist.

**AMENDMENTS NEEDED TO IMPROVE THIS BILL**

Use of the term “digital media shall business” is vague. The legislature may wish to consider amending HB346 to specifically define what entities constitute a “digital media small business” eligible for the services provided for therein.