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| LFC Requester: | Boerner, Christine |
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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 Jan. 15, 2014
Bill No: HB71-305 Jan 15

Sponsor: Rep. Roberto J. Gonzales **Reviewing** Attorney General's Office
Short Traditional Historic Community **Person Writing** Sean Cunniff, AAG
Title: Qualifications **Phone:** 827-6469 **Email** scunniff@nmag.gov

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

APPROPRIATION (dollars in thousands)

| Appropriation | | Recurring or Nonrecurring | Fund Affected |
|---------------|------|------------------------------|------------------|
| FY14 | FY15 | | |
| | | | |
| | | | |

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:

Duplicates/Relates to Appropriation in the General Appropriation Act

REVENUE (dollars in thousands)

| Estimated Revenue | | | Recurring or Nonrecurring | Fund Affected |
|-------------------|------|------|---------------------------------|------------------|
| FY14 | FY15 | FY16 | | |
| | | | | |
| | | | | |

(Parenthesis () Indicate Expenditure Decreases)

Duplicates, Relates to, Conflicts with, Companion to

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

| | FY14 | FY15 | FY16 | 3 Year Total Cost | Recurring or Nonrecurring | Fund Affected |
|--------------|-------------|-------------|-------------|------------------------------|--------------------------------------|--------------------------|
| Total | | | | | | |

(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

HB 71 proposes language that would alter the types of communities eligible under NMSA 1978, Section 3-7-1.1 for designation as a “traditional historic community.” Under the current law, only unincorporated areas located in class B counties with populations between ninety-five and ninety-nine thousand are eligible for this designation. See generally NMSA 1978, Section 4-44-1 (defining criteria for county classes). If the proposed changes are adopted, eligibility for unincorporated areas in class B counties would be modified to those counties with populations between thirty and forty thousand, and eligibility would be added for unincorporated areas in class A counties with populations between one hundred forty and two hundred thousand.

The legislation also proposes changing the basis for measuring county population under Section 3-7-1.1 to the “most recent decennial census,” versus the current measure, which is the “1990 decennial census.”

FISCAL IMPLICATIONS WITH ENACTING THIS BILL

N/A

SIGNIFICANT LEGAL ISSUES

None identified.

PERFORMANCE IMPLICATIONS WITH ENACTING THIS BILL

N/A

ADMINISTRATIVE IMPLICATIONS WITH ENACTING THIS BILL

N/A

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

None identified.

TECHNICAL ISSUES OR DRAFTING ERROR

See “Amendments Needed to Improve this Bill” section of this analysis.

OTHER SUBSTANTIVE LEGAL ISSUES

None.

ALTERNATIVES TO ENACTING THIS BILL

NA.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The status quo will remain intact.

AMENDMENTS NEEDED TO IMPROVE THIS BILL

In Section 3-7-1.1(A)(1) of the proposed language, consider adding the modifier “an unincorporated area of” in between the existing language of “or” and “a class B county with a population between thirty thousand and forty thousand . . .”