

New Mexico Register

The official publication for all official notices of rulemaking
and filing of proposed, adopted and emergency rules.

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The New Mexico Register

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New Mexico Register

Volume XXXVII, Issue 14

July 28, 2026

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Notices of Rulemaking and Proposed Rules

ALBUQUERQUE- BERNALILLO COUNTY AIR QUALITY CONTROL BOARD

ALBUQUERQUE-BERNALILLO COUNTY AIR QUALITY CONTROL BOARD NOTICE OF RULEMAKING HEARING TO CONSIDER REPEAL AND REPLACE OF EXISTING RULE 20.11.7 NMAC- VARIANCE PROCEDURE

The Albuquerque-Bernalillo County Air Quality Control Board (AQCB) will hold a public hearing on September 9, 2026 at 5:30 p.m. to consider AQCB Petition No. 2026-02, filed by the City of Albuquerque Environmental Health Department (EHD). The hearing is expected to last no more than one hour, with the Board making a decision immediately following the hearing. The hearing will be held in-person (with a remote option) at the Plaza del Sol Building, Basement Hearing Room, 600 Second Street NW, Albuquerque, NM 87102. Final details will be posted online no later than September 4, 2026.

Contact Information – to learn more, receive updates, or submit comments. Websites: www.cabq.gov/airquality/air-quality-control-board and www.cabq.gov/airquality/regulation-development/public-notice-and-comment-opportunities.

Phone: Hearing Clerk- (505) 768-1915

Email: airboard@cabq.gov

In-Person Address: EHD, One Civic Plaza NW, 3rd Floor, Room 3023, Albuquerque, NM 87102 (8 am - 5 pm)

Postal Mail Address: EHD/AQP, PO Box 1293, Albuquerque, NM 87103

Hearing Details. The proposed regulatory change would repeal and replace existing rule 20.11.7 NMAC- Variance Procedure, to add language clarifying the variance procedure outlined in the New Mexico Air Quality Control Act (NMAQCA),

updating procedural requirements to allow for electronic mail and remove requirements for certified mail, and adding language that the board is to consider the public interest consistent with requirements in the NMAQCA.

The docket, including copies of the proposed regulatory change, is accessible at www.cabq.gov/airquality/air-quality-control-board. A link to the record can also be found under the heading “Rulemaking Procedures” on the AQCB’s website. The proposed text is identified as Exhibit B to EHD’s petition. Copies may also be obtained by contacting the Hearing Clerk. EHD charges fifty (50) cents per page for paper copies.

The hearing will be conducted in accordance with the Air Quality Control Act, NMSA 1978, Section 74-2-6; the Joint Air Quality Control Board Ordinance, Revised Ordinances of Albuquerque 1994, Section 9-5-1-6; Bernalillo County Code, Article II, Section 30-35; 20.11.82 NMAC, Rulemaking Procedures-AQCB; and other applicable procedures, including any pre-hearing orders. Pre-hearing orders will be included in the docket.

Public Participation. AQCB hearings are open to the public. All interested persons are encouraged to participate and will be given a reasonable opportunity to submit relevant data, views or arguments, orally or in writing, and to examine witnesses by filing a notice of intent to present technical testimony (“NOI”), filing an entry of appearance, or participating as a member of the general public.

Technical Testimony. Persons intending to present technical testimony must file a written NOI at least fifteen (15) days before the hearing. In addition to any requirements in a pre-hearing order, an NOI shall: (1) identify the person for whom the witness(es) will testify; (2) identify each technical witness and state the qualifications of that witness, including a description of their education and work background;

(3) include a copy of the direct testimony of each technical witness and state the anticipated duration of the testimony; (4) include the text of any recommended modifications to the proposed regulatory change; (5) list and attach an original copy of all exhibits anticipated to be offered by that person at the hearing, including any proposed statement of reasons for adoption of rules; and (6) be served pursuant to 20.11.82.16 NMAC and pre-hearing orders, including served on EHD. Unless otherwise provided for in a pre-hearing order, a NOI filing shall be accomplished by delivering the document to the Hearing Clerk via the email, in-person address, or postal mail address listed in the Contact Information.

Entry of Appearance. Any person who is or may be affected by the proposed regulatory change may file, and serve upon all parties, an entry of appearance at least fifteen (15) days prior to the hearing date and shall be a party. A timely NOI shall be considered an entry of appearance.

Non-Technical Testimony/Public Comment. Any member of the general public may present non-technical testimony and/or offer non-technical exhibits. No prior notification is required. A member of the general public, who wishes to submit a non-technical written statement for the record instead of oral testimony, shall file the written statement prior to the hearing or submit it at the hearing. Unless otherwise provided for in a pre-hearing order, written statements submitted prior to the hearing shall be delivered to the Hearing Clerk in the same manner described above for filing a NOI. The public comment period will begin on July 28, 2026 and conclude on August 27, 2026.

Notice to Persons with Disabilities or Special Needs. If you have a disability or require special assistance to participate, including interpretation or an auxiliary aid, please contact the Hearing Clerk as soon as possible but no later than seventy-two (72) hours

before the hearing. Those in need of hearing assistance can call 711.

Nondiscrimination Notice. The AQCB does not discriminate on the basis of race, color, national origin, sex, age or disability. If you believe you have been discriminated against, you may submit a complaint at www.cabq.gov/airquality/non-employee-discrimination-complaints.

Nếu bạn muốn thông báo này được dịch sang tiếng Việt, vui lòng truy cập www.cabq.gov/airquality/regulation-development/public-notice-and-comment-opportunities và sử dụng tính năng Dịch ở đầu trang.

AVISO DE AUDIENCIA DE REGLAMENTACIÓN PARA CONSIDERAR LA DEROGACIÓN Y SUSTITUCIÓN A LA NORMATIVA VIGENTE 20.11.7 NMAC- PROCEDIMIENTOS DE VARIACIÓN POR PARTE DE LA JUNTA DE CALIDAD DEL AIRE DEL CONDADO DE ALBUQUERQUE-BERNALILLO

La Junta de Calidad del Aire del Condado de Albuquerque-Bernalillo (AQCB, por sus siglas en inglés) llevará a cabo una audiencia el 9 de septiembre de 2026, a las 5:30 pm, para considerar la Petición No. 2026-02 de la AQCB, presentada por el Departamento de Salud Ambiental de la Ciudad de Albuquerque (EHD, por sus siglas en inglés). La audiencia durará aproximadamente una hora, con deliberaciones inmediatamente después. La audiencia presencial (con participación a través del internet) se realizará en el edificio Plaza del Sol, en la sala de audiencias del sótano, 600 Second St. NW, Albuquerque, NM 87102. Los detalles finales serán publicados en línea a más tardar el 4 de septiembre de 2026.

Información de contacto - para saber más, recibir actualizaciones, o enviar comentarios.
Páginas web: www.cabq.gov/airquality/air-quality-control-board y www.cabq.gov/airquality/regulation-development/public-notice-and-comment-opportunities.

Teléfono: Secretaría de audiencia- (505) 768-1915.
Correo electrónico: airboard@cabq.gov.

Dirección en persona: EHD, One Civic Plaza NW, 3rd Floor, Room 3023, Albuquerque, NM 87102 (8 am – 5 pm).

Dirección de correo postal: EHD, PO Box 1293, Albuquerque, NM 87103.

Detalles de la Audiencia. El cambio normativo propuesto derogaría y sustituiría la normativa vigente 20.11.7 del Código Administrativo de Nuevo México (NMAC, por sus siglas en inglés)- Procedimientos de Variación, para incorporar: texto que clarifique los procedimientos indicados en el Acta del Control de Calidad del Aire de Nuevo Mexico (NMAQCA, por sus siglas en inglés), requisitos procedurales que permitan el uso del correo electrónico y elimine el requisito para correo certificado, y establezca que la AQCB debe condiderar el interés público de acuerdo con los requisitos en el NMAQCA.

Se puede acceder al expediente normativo, incluyendo copias del cambio normativo propuesto, en <https://www.cabq.gov/airquality/air-quality-control-board>. También se puede encontrar un enlace al registro normativo bajo el encabezado “Rulemaking Procedures” (Procedimientos de Normativas) en la página de la AQCB. El texto propuesto de se identifica como Anexo B a la petición del EHD. Se puede obtener copias comunicándose con la Secretaría de Audiencias. El EHD cobra cincuenta (50) centavos por página.

La audiencia se llevará a cabo de acuerdo al NMAQCA, NMSA 1978, Sección 74-2-6; Ordenanza de la Junta de Calidad del Aire, Ordenanzas Revisadas de Albuquerque 1994, Sección 9-5-1-6; Código del Condado de Bernalillo, Artículo II, Sección 30-35; 20.11.82 NMAC, Procedimientos de Normativas-AQCB; y otros procedimientos aplicables, incluyendo todas las órdenes previas a la

audiencia. Las órdenes previas a la audiencia se incluirán en el expediente normativo.

Participación pública. Las audiencias de la AQCB están abiertas al público. Todas las personas interesadas se les alienta a participar y se otorgará una oportunidad razonable para presentar datos relevantes, opiniones o argumentos, de forma oral o escrita, e interrogar a testigos luego de completar un aviso de intención de presentar testimonio técnico (NOI, por sus siglas en inglés), una actuación de comparecencia, o al participar como miembro del público general.

Testimonio técnico. Las personas que pretendan presentar testimonio técnico deberán completar un NOI escrita al menos quince (15) días antes de la audiencia. Además de todos los requisitos que una orden previa a la audiencia debe tener, un NOI deberá: (1) identificar a la persona en favor de la cual testificará el testigo; (2) identificar a cada testigo técnico e indicar las calificaciones de ese testigo, incluyendo una descripción de sus antecedentes de educación y de trabajo; (3) incluir una copia del testimonio directo de cada testigo técnico e indicar la duración estimada del testimonio; (4) incluir el texto de todas modificaciones recomendadas al cambio normativo propuesto; (5) enumerar y adjuntar una copia original de todas las pruebas que se espera que esa persona ofrezca en la audiencia, incluyendo todas las declaraciones de las razones propuestas para la adopción de las normativas; y (6) ser notificado de conformidad a 20.11.82.16 NMAC y a las órdenes previas a la audiencia, incluidas las del EHD salvo que se proporcionen en una orden previa a la audiencia, un NOI se debe completar y enviar a la Secretaría de Audiencia por medio de correo electrónico, la dirección en persona, o correo postal que se detalla en la información de contacto.

Actuación de comparecencia. Cualquier persona que se vea o

pueda verse afectada por el cambio normativo propuesto puede completar y presentar una personación a todas las partes al menos quince (15) días antes de la fecha de la audiencia y queda constituido como parte. Un NOI oportuno será considerado una actuación de comparecencia.

Testimonio no técnico/opinión pública. Cualquier miembro del público general puede presentar un testimonio no técnico y/o presentar pruebas no técnicas. No se necesita notificación previa. Un miembro del público general que desee entregar una declaración por escrito para el registro en lugar de testimonio oral deberá presentarlo antes o durante la audiencia. A menos que se entreguen en una orden previa a la audiencia, las declaraciones por escrito presentadas antes de la audiencia deberán entregarse a la Secretaria de Audiencia, de la misma forma en la que se debe enviar un NOI. El período de comentario público comenzará el 28 de julio de 2026 y cerrará el 27 de agosto de 2026.

Aviso para personas con discapacidades o necesidades especiales. Si usted tiene una discapacidad o requiere de asistencia especial para participar, incluyendo interpretación o una asistencia auxiliar, comuníquese con la Secretaria de Audiencia lo antes posible, pero no después de setenta y dos (72) horas antes de la audiencia. Aquellos que necesiten asistencia auditiva pueden llamar al 711.

Aviso de no discriminación. La AQCB no discrimina por motivos de raza, color, nacionalidad de origen, sexo, edad o discapacidad. Si usted cree que se lo ha discriminado, puede enviar una queja a www.cabq.gov/airquality/non-employee-discrimination-complaints.

ECONOMIC DEVELOPMENT DEPARTMENT

NOTICE OF PROPOSED RULEMAKING AND PUBLIC HEARING

The Technology and Innovation Division (“Division”) of the New Mexico Economic Development Department (“Department”) will hold a public hearing on Monday, August 31, 2026, from 10:00 – 11:00 a.m. The hearing will be conducted in person at the following location:

Monday, August 31, 2026, 10:00-11:00 a.m. Mountain Time

Mabry Hall located in the Jerry Apodaca Education Building, 300 Don Gaspar Ave., Santa Fe, NM 87501

Microsoft Teams Meeting Information
Meeting Link: <https://teams.microsoft.com/join/275478541732380?p=9xRs1QsXfVe4GAH4xG>
Meeting ID: 275 478 541 732 380
Passcode: nb69eg72

The purpose of the rule hearing is to obtain input and public comment on proposed new rules relating to 2.96.1 NMAC, Research, Development and Deployment Fund Act, Laws 2025, Ch. 133 (House Bill 20 Approved April 9, 2025).

Copies of the proposed rule may be accessed online at <https://edd.newmexico.gov/about-us/public-notices/> or contact Department staff at info@edd.nm.gov (505) 827-0300.

The Department will accept written public comments on the proposed rule beginning July 28, 2026. Please submit written comments on the proposed rule to the Department via electronic mail at info@edd.nm.gov or by regular mail at 1100 S. Saint Francis Dr., Santa Fe, New Mexico, 87505. Written comments must be received no later than 5 p.m. on August 30, 2026. Comments received prior to the rule hearing will be posted to the Department website at <https://edd.newmexico.gov/about-us/public-notices/>. Interested persons will also be given the opportunity to present

their comments during the rule hearing.

Individuals who require this information in an alternative format or need any form of auxiliary aid to attend or participate in this meeting are asked to contact the Department Staff as soon as possible at info@edd.nm.gov or (505) 827-0300. The Committee requests advance notice to provide required special accommodations at least one week prior to the meeting or as soon as possible.

Statutory Authority: Legal authority for this rulemaking may be found in the Research, Development and Deployment Fund Act, Section 6-31A-1 et seq., NMSA 1978, specifically 6-31A-4(A)(8).

Proposed Rule:

This is a new Rule, 2.96.1 NMAC, Sections 1 through 11, effective September 22, 2026.

TITLE 2 PUBLIC FINANCE CHAPTER 96 RESEARCH, DEVELOPMENT AND DEPLOYMENT FUND ACT PART 1 GENERAL PROVISIONS

2.96.1.1 ISSUING

AGENCY: Economic Development Department.
[2.96.1.1 NMAC - N, xx/xx/2026]

2.96.1.2 SCOPE: All public entities or businesses registered to transact business in New Mexico applying for Research, Development and Deployment funds through the Economic Development Department and meeting the eligibility requirements of the Economic Development Department technology and innovation division.
[2.96.1.2 NMAC - N, xx/xx/2026]

2.96.1.3 STATUTORY AUTHORITY: Section 6-31A-4, NMSA 1978.
[2.96.1.3 NMAC - N, xx/xx/2026]

2.96.1.4 DURATION:
Permanent.
[2.96.1.4 NMAC - N, xx/xx/2026]

2.96.1.5 EFFECTIVE DATE: xx/xx, 2026 unless a later date is cited at the end of a section.
[2.96.1.5 NMAC - N, xx/xx/2026]

2.96.1.6 OBJECTIVE: To drive innovation, stimulate economic growth, and create jobs by offering early-stage capital and financial support for emerging technologies, start-up enterprises, and research initiatives that align with the state’s economic development strategy through project awards pursuant to the act.
[2.96.1.6 NMAC - N, xx/xx/2026]

2.96.1.7 DEFINITIONS:

A. “Act” means the Research, Development and Deployment Fund Act, Sections 6-31A-1 through 6-31A-7, NMSA 1978, as the same may be amended and supplemented.

B. “Applicant match” means money for a project provided by an applicant or a partnering entity that is not a political subdivision of the state.

C. “Application” means a written document or other information filed with the division for the purpose of evaluating an applicant’s proposal for funding opportunities.

D. “Business” means any corporation, partnership, limited liability company, joint venture or other similar legal entity registered in the state.

E. “Department” means the economic development department.

F. “Division” means the technology and innovation division of the department.

G. “Documented Need” has the meaning given in the act and refers to a non-state funding source’s own requirements, such as cost-sharing, matching, or institutional or regional commitments used in evaluating proposals for that funding rather than an applicant’s general need for project funding.

H. “Eligible applicant” means a public entity or a business registered to transact business in New Mexico.

I. “Sleeve” means a portion of the fund with its own investment strategy aligned with the purpose of the Act.

J. “Solicitation” means a call for applications for funding from one or more sleeves.

K. “State” means the state of New Mexico.
[2.96.1.7 NMAC - N, xx/xx/2026]

2.96.1.8 ELIGIBILITY, APPLICATION, EVALUATION, AND AWARD: The division, in consultation with the board, will develop policies and consider a variety of factors in reviewing and evaluating applications from eligible applicants for project funding opportunities.

A. Applicant Eligibility. To be eligible for funding, applicants must meet all eligibility requirements established by the division.

B. Project Eligibility. To be eligible for funding, a project must reasonably expect to result in at least two of the following in New Mexico:

- (1) advance innovation in at least one of the target sectors;
- (2) foster collaboration between at least two of the following: private industry, a national laboratory, a federal agency or a public entity;
- (3) leverage federal or private investment;
- (4) create new economic opportunities;
- (5) create new jobs and workforce training opportunities; and
- (6) advance the commercialization of a technology in at least one of the target sectors;

C. Solicitations. The division will release solicitations that specify the application, evaluation, and award processes and procedures for one or more sleeves consistent with this rule,

the Act, and other applicable laws and regulations. In solicitations or otherwise, the division shall establish a streamlined application process pursuant to the requirements of the act. Notwithstanding the foregoing, the division may at its discretion source projects independently of any solicitation.

D. Application Requirements. The division will set forth application requirements in each solicitation.

E. Matching Requirements of Complementary Programs. If an applicant is seeking project funding in connection with or as part of a separate application for grant money that requires cost sharing, matching funds, institutional support or regional financial commitments as a condition of eligibility for that grant money, the applicant shall submit written evidence from the entity providing that grant money that clearly states such requirements will be used in the evaluation of applications for that grant money. If no such written evidence exists of the requirements for institutional support or regional financial commitment, the applicant may submit alternative proof of the requirements and the division shall establish criteria and, on a case-by-case basis, evaluate whether the proof is sufficient.

F. Alternative to Documented Need. In lieu of evidence of documented need as defined by the act for project funding, an applicant may include with the applicant’s application a justification for why project funding is necessary for the project to be successful and effectively promote state interests in one or more target sectors.

G. Applicant Match. The division may or may not require applicant match for a particular project, solicitation, sleeve, or for the fund overall and will set forth any such requirement in the relevant solicitation, in policy, or in another appropriate form and manner. In cases where the division does require applicant match, the division may reduce applicant match requirements by up to fifty percent for projects:

(1) that primarily benefit communities that are rural or part of Indian nations, tribes or pueblos;

(2) that are led by minority-serving public post-secondary educational institutions as defined in federal law; or

(3) that address critical state needs as determined by the department in its statewide economic plan.

H. In-Kind

Contributions. The division may allow in-kind contributions as permitted by the act and as set forth in the relevant solicitation, in policy, or in another appropriate form and manner. An in-kind contribution to a project may qualify as a portion of an applicant's required match when the:

(1) value of the in-kind contribution can be independently verified;

(2) in-kind contribution is essential to the project's success, as determined by the division;

(3) in-kind contribution would otherwise be a legitimate project expense; and

(4) total in-kind contributions to a project constitute no more than fifty percent of the applicant match.

I. Timing of

Application Submissions.

Applications are submitted in response to the division's solicitations or as otherwise sourced by the division. Consistent with the act, the division will design solicitations and other sourcing mechanisms to accommodate applications submitted:

(1) up to three hundred sixty-five days prior to anticipated federal or private sector grant deadlines for new or recurring published opportunities;

(2) for pending proposals with multistage reviews that have been submitted but have not had an award finalized or, subject to division approval, within ninety days after such an award is finalized;

(3) for project funding awards pending successful

non-state funding or private grant applications; and

(4) for re-application by an applicant who has previously been denied project funding, provided that the applicant makes changes and improvements based on any feedback received from the prior application.

J. Application

Evaluation and Award. The division will:

(1) award project funding in consultation with the board's recommendations;

(2) verify applicant match funding requirements for a project when a match is applicable or match funding is being requested; and

(3) consider applications in light of any priorities and of any other requirements or goals set forth in the relevant solicitation.

K. Project Priority.

The division shall set forth any such priorities in the relevant solicitation, in policy, or in another appropriate form and manner. Priority shall be given to projects that

(1) create high-quality, high-wage jobs in New Mexico;

(2) when applicable, have higher percentages of matching funds from non-public entities;

(3) demonstrate strong potential for commercialization in a target sector;

(4) support the growth of New Mexico-based companies;

(5) benefit communities that are rural or in an Indian nation, tribe or pueblo;

(6) provide opportunities for broad regional participation; and

(7) fulfill any other requirement or advance any other goal established by the division and consistent with the act as set forth in any solicitation, with respect to one or more sleeves, or with respect to the fund overall.

L. Timing and Use of

Project Funding. Awards of project funding shall:

(1) allow for multiyear project periods aligned with federal or private sector grant or other non-state funding opportunity timelines;

(2) permit pre-award project spending by applicants when necessary to meet non-state grant application deadlines, provided that applicants shall use non-state funding or other institutional funding for pre-award spending; and

(3) provide that a certain amount of the funding may be used for an applicant's administrative costs to implement the project.

[2.96.1.8 NMAC - N, xx/xx/2026]

2.96.1.9

ADMINISTRATION OF THE RESEARCH, DEVELOPMENT AND DEPLOYMENT FUND:

A. Nature and

Makeup of the Fund. The fund is a nonreverting fund in the state treasury and is administered by the department. The fund consists of distributions, appropriations, gifts, grants, donations and income from investment in the fund, including appropriations from the technology and innovation fund as permitted by Section 9-15-19, NMSA 1978, as the same may be amended or supplemented.

B. Purpose of

Awards. Money in the fund may be used for the purposes of catalyzing innovation, economic growth and job creation by providing early-stage capital and financial support to emerging technologies, start-up businesses and research initiatives that align with the state's economic development plan through project awards made pursuant to the act.

C. Monitoring and

Oversight. The division shall monitor and oversee projects in accordance with the act and as set forth in any applicable solicitation, policy, or award document or in another appropriate form and manner.

D. Mechanism

of Expenditures. Expenditures from the fund shall be by warrant of the secretary of finance and

administration pursuant to vouchers signed by the secretary or the secretary's authorized representative. [2.96.1.9 NMAC - N, xx/xx/2026]

2.96.1.10 REPORTING:

On or before December 1, 2026, and every year thereafter, the department shall provide a report to the governor, the legislative finance committee and the appropriate interim committees that study economic development regarding the administration, efficacy and performance of the fund, including:

- A. projects that have been awarded funding;
- B. for each project, the dollar amounts awarded, the amount of non-state matching funds the project received, if applicable, and the amount of non-state funding leveraged;
- C. updates on the progress, performance, outcomes and impacts of each project that was awarded funding;
- D. total jobs created and retained in the state;
- E. return on investment of state money spent pursuant to the act;
- F. any additional investment that was attracted to the state and state-owned businesses; and
- G. other relevant performance metrics, including those recommended by the board, to measure the success of the act and the state's investment of public money pursuant to the act.

[2.96.1.10 NMAC - N, xx/xx/2026]

2.96.1.11 AMENDMENT

OF RULES: This rule may be amended or repealed at any time by the department in accordance with the provisions of the state rules act.

[2.96.1.11 NMAC - N, xx/xx/2026]

HISTORY OF 2.96.1 NMAC:
[RESERVED]

**HEALTH,
DEPARTMENT OF**

**NOTICE OF PUBLIC
HEARING**

The New Mexico Department of Health ("Department") will hold a public hearing on the proposed adoption of a new rule, 7.30.16 NMAC, concerning Doula Credentialing for Medicaid Reimbursement ("Doula Credentialing"). The hearing will be held on August 28, 2026 at 11:00 am Mountain time via a live web-based video conference and via telephone. Members of the public who wish to submit public comment regarding the proposed rules will be able to do so via video conference or via telephone during the course of the hearing, and by submitting written comment.

Rule 7.30.16 NMAC is a proposed new rule to establish requirements, processes and procedures governing voluntary credentialing for doulas to allow them to receive Medicaid reimbursement.

The rule includes, but is not limited to, the following:

- Section 7, "Definitions:" defines various terms used in the rule;
- Section 8, "General Program Description:" describes voluntary doula credentialing program, online registry, and grounds for action against a doula credential (denial, suspension, revocation) generally;
- Section 9, "Doula Credential Requirements:" sets application, eligibility and credentialing requirements and application pathways for all applicants seeking a doula credential from the Department;
- Section 10, "Doula Scope of Practice:" describes doula scope of practice and prohibits credentialed doulas from performing clinical tasks or providing medical care;
- Section 11, "Doula Standards of Practice:" requires credentialed doulas to adhere to standards of professional conduct,

client safety, ethical practice, body sovereignty and self-determination, and community-based care while providing services;

- Section 12, "Application Process:" sets application process requirements, including process when an application is incomplete and process for doula recredentialing and credential reinstatement;
- Section 13, "Application Processing Time Limits:" establishes timelines for the Department to review and make a determination on new doula credentialing applications, recredentialing applications, and applications for reinstatement of credentials;
- Section 14, "Criminal History Screening:" authorizes the Department to obtain criminal history records of applicants who otherwise meet eligibility requirements for doula credentialing and sets criminal history screening procedure for applicants and the Department.
- Section 15, "Doula Credentialing Advisory Council:" sets Doula Credentialing Advisory Council membership and meeting requirements, duties and responsibilities;
- Section 16, "New Mexico Registry of Credentialed Doulas:" requires the Department to maintain a registry of credentialed doulas;
- Section 17, "Credential Review Committee:" establishes a credential review committee to conduct individualized reviews of grounds for action against a credential and determine whether to pursue action against a credential, and enumerates grounds for action against a credential;
- Section 18, "Hearings:" establishes hearing process for applicants exercising right to appeal a decision by the Department to deny, suspend, revoke or take other adverse action against a doula credential, and process for requesting reinstatement of a suspended or revoked credential;
- Section 19, "Data Collection and Reports:" establishes data collection and reporting requirements;
- Section 20, "Inspection of Records:" requires that certain

types of records, including health information protected by state and federal laws, criminal history information, and personal identifier information, as that term is used in the Inspection of Public Records Act, Section 14-2-1.1 NMSA 1978, be maintained in a confidential manner and states that they are not subject to public inspection.

The purpose of the proposed rules is to implement the Doula Credentialing and Access Act, sections 24-36-1 through 24-36-8 NMSA 1978.

The legal authority authorizing the adoption of these rules by the Department are the Department of Health Act, subsection E of section 9-7-6 NMSA 1978, which authorizes the secretary of the department of health to "...make and adopt such reasonable and procedural rules and regulations as may be necessary to carry out the duties of the department and its divisions"; the Public Health Act, subsection S of section 24-1-3 NMSA 1978, which authorizes the Department to maintain and enforce such rules as may be necessary to carry out the provisions of the Public Health Act; and the Doula Credentialing and Access Act, at section 24-36-3 NMSA 1978, which requires the Secretary of the Department to promulgate rules to establish a voluntary credentialing process to allow doulas to enroll as Medicaid providers.

A free copy of the full text of the proposed rule can be obtained online from the New Mexico Department of Health's website at <http://nmhealth.org/about/asd/cmo/rules/> or by contacting the Department using the contact information below.

The public hearing will be conducted to receive public comment on the proposed rule. Any interested member of the public may attend the hearing and may submit data, views, or arguments on the proposed rule either orally during the hearing or in writing through the close of the hearing.

The hearing will be held on August 28, 2026 at 11:00 a.m. Mountain time via the Microsoft Teams online web conference platform.

To access the hearing via the Internet: please go to <https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting> and then enter the following meeting i.d. code and passcode where indicated on the screen: meeting i.d. code 270 590 682 755 07 and passcode As7nT7yn and then click the "Join a meeting" button. To access the hearing by telephone: please call 1-505-312-4308 and enter phone conference i.d. 224 309 764#.

All comments will be recorded.

Written public comment regarding the proposed rule can be submitted either by e-mail to Jacob Clark at jacob.clark@doh.nm.gov, or by U.S. postal mail to the following address:

Jacob Clark
NMDOH OGC
P.O. Box 26110
1190 St. Francis Dr., Suite N-4095
Santa Fe, NM 87502-6110

Written comments must be received by the close of the public rule hearing on August 28, 2026. All written comments will be published on the agency website at <https://www.nmhealth.org/about/asd/cmo/rules/> within 3 days of receipt, and will be available at the New Mexico Department of Health for public inspection.

If you are an individual with a disability and need special assistance or accommodation to attend or participate in the hearing, please contact Jacob Clark by telephone at (505) 827-2997. The Department requests at least ten (10) days' advance notice to provide special accommodation.

**HEALTH CARE
AUTHORITY
INCOME SUPPORT DIVISION**

AMENDED NOTICE OF EMERGENCY RULE FILING

The Health Care Authority (HCA) Income Support Division (ISD) is amending the Notice of Hearing that was originally posted on State Records Center and Archives (SRCA) New Mexico Register, Volume XXXVI, Issue 11, June 9, 2026 (Notice). The Notice of Hearing was not posted to the New Mexico HCA website. This amended notice is issued to ensure publication on HCA Website. ISD will hold a hybrid public hearing to receive testimony on this notice will be held pursuant to Section 14-4-5.6 NMSA 1978, on Thursday August 27, 2026, at 11:00 am-12:00 pm.

You may join: In Person: at HCA Income Support Division Santa Fe County Field Office, 39B Plaza La Prensa, Santa Fe NM 87507.

Virtually from your computer, tablet or smartphone by logging into: **Microsoft Teams** Need help? **Join the meeting now Meeting ID:** 273 637 138 782 604 **Passcode:** YD7Kp9ve You may join virtually from your computer, tablet or smartphone:
+1 505-312-4308,,643931163#
United States, Albuquerque (888) 506-1357,,643931163# United States (Toll-free) Find a local number Phone conference ID: 643 931 163#

If you are a person with a disability and you require this information in an alternative format, or you require a special accommodation to participate in any HSD public hearing, program, or service, please contact the American Disabilities Act Coordinator, at Office-505-709-5468, Fax- 505-827-6286 or through the New Mexico Relay system, toll free at #711. The Authority requests at least a 10-day advance notice to provide the requested alternative formats and special accommodations.

Individuals who do not wish to attend the hearing may submit written or recorded comments by the following ways:

- Drop off at HCA Income Support Division, Sandoval County Office Attn: Monica Pineda at HCA Income Support Division Santa Fe County Field Office, 39B Plaza La Prensa, Santa Fe NM 87507.
- Calling (505) 819-8118.
- Mailing comments to: Income Support Division: Attn, Monica Pineda at P.O. Box 2348, Santa Fe, NM 87504-2348.
- Emailed electronically to: HCA-isdrules@hca.nm.gov.

Written or recorded comments must be received by 5:00 p.m. on the date of the hearing, August 27, 2026.

Written and recorded comments will be given the same consideration as oral testimony made at the public hearing. All written comments will be posted on the agency website at Income Support Division Registers - New Mexico Health Care Authority within 3 days of receipt.

NOTICE ISSUED JUNE 9, 2026

The Health Care Authority will implement a temporary emergency rule effective April 1, 2026.

During October 2026 Special Legislative Session, \$12 million was appropriated to provide food assistance to SNAP recipients affected by House of Representatives (H.R. 1), Section 10108 (Immigration SNAP Eligibility) that President Donald J. Trump signed into law on July 4, 2025. Under H.R. 1, Section 10108, SNAP eligibility for certain lawfully present noncitizens, resulting in the loss of benefits for individuals who were previously eligible.

The Authority is implementing emergency rule to open a new section 8.106.640 NMAC State Funded Assistance program which is a State Funded Assistance Program. The objective of the New Mexico State funded food assistance program is to provide households affected by HR 1.

8.106.640 NMAC

This part is being opened to add the rules for the State Funded Food Assistance Program.

Regulations to the State Funded Assistance Programs administered by the Health Care Authority (HCA), including its authority to promulgate regulation, and is governed by Chapter 9, Article 8, NMSA (Repl. 1983).

The Authority is developing a new State Funded Assistance Food Program, that will benefit the households affected by HR 1.

The rule is being developed under the following statutory authority: New Mexico Statutes Annotated 1978 (Chapter 27, Articles 1 and 2) authorize the state to administer the aid to these families.

The register and rule language is available on the HCA website at: <https://www.hca.nm.gov/lookingforinformation/income-support-division-registers-2/>. If you do not have internet access, a copy of the final register and rules may be requested by contacting HCA Office of the Secretary at (505) 827-7750.

SUPERINTENDENT OF INSURANCE, OFFICE OF

NOTICE OF PROPOSED RULEMAKING

The OSI eDocket Number for this rulemaking is: 2026-0127

NOTICE IS HEREBY GIVEN that the Office of Superintendent of Insurance (OSI or Superintendent) will hold a public hearing in person, via video conference, and via telephone conference regarding a proposed rule 13.10.41 NMAC, Specified Sex Trait Modification Procedure. **The hearing for this rulemaking will commence on Tuesday, September 8, 2026, at 10:00 a.m. MDT.**

PURPOSE OF THE PROPOSED

RULE: The purpose of this rulemaking is to clarify application of nondiscrimination provisions under Sections 59A-23E-11 and 59A-16-13

NMSA 1978 to individuals pursuing any medically necessary specified sex trait modification procedure.

BACKGROUND

On August 25, 2026, the federal Department of Health and Human Services – Centers for Medicare & Medicaid Services finalized a rule that prohibits an issuer of a health plan sold on New Mexico's BeWell Exchange from including coverage for specified sex-trait modification procedures under 45 CFR § 156.115(d). The New Mexico Insurance Code has long prohibited discrimination against individuals with protected attributes. Under 59A-16-13 NMSA 1978, an issuer of a health plan may not refuse to insure, refuse to continue to insure or limit the amount of coverage available to an individual because of the sex of the individual. The nondiscrimination laws under 59A-23E-1 NMSA 1978 further protect health status, gender, and sexual orientation. Regardless of whether a specified sex-trait modification procedure most closely relates to present health status, sex, gender, or sexual orientation, the law under the New Mexico Insurance code is settled. Discrimination is prohibited, and thus an issuer of a health plan must continue providing coverage for any medically necessary specified sex-trait modification procedure by operation of state law. This rulemaking formalizes OSI's interpretation about how existing nondiscrimination laws in the New Mexico Insurance Code protect an individual's right to coverage for specified sex-trait modification procedures and conveys OSI's expectation that issuers of health plans continue providing coverage during plan year 2027 and onward.

Determinations of medical necessity would remain between the patient and healthcare provider, in consultation with the issuer of the health plan, consistent with how any other health procedure is currently administered in New Mexico for insurance purposes. Healthcare providers may consider

consulting the World Professional Association for Transgender Health's Standards of Care for the Health of Transgender and Gender Diverse People, Version 8 (2022) by Coleman et al, (often called "WPATH-8"), as other jurisdictions and clinicians have (Oregon Department of Consumer and Business Services Division of Financial Regulation, Bulletin No. DFR 2025-4; Safer, J. D., and Tangpricha, V. (2019). Care of Transgender Persons. New England Journal of Medicine, 381(25), 2451–2460). However, OSI does not intend for this rulemaking to deliberate appropriate clinical standards of care.

SIMILAR NONDISCRIMINATION EFFORTS

Other jurisdictions, such as California and Illinois, have previously contemplated how their existing nondiscrimination laws apply to this topic. (Notice 5-1-2025, CA Notice No. 5-1-2025 Nondiscrimination and Access to Care for All Californians (2025); Ricardo Lara, Letter 12-30-2020 Permissibility of Denial of Coverage Based Solely on Age for Female-to-Male Chest Reconstruction Surgery as Part of a Treatment for Gender Dysphoria (2020); Bulletin 2024-1, IL Bulletin No. 2024-1 Company Bulletin 2024-01 Coverage of Gender-Affirming Care (2024)).

For example, California published a May 1, 2025, bulletin that incorporated a December 30, 2020, legal opinion from the California Insurance Commissioner General Counsel regarding the possibility of denial of coverage based solely on age for female-to-make chest reconstruction surgery as part of a treatment for gender dysphoria. The bulletin stated, "[I]mposing structural age limits on coverage of male chest reconstruction surgery when it is required to treat gender dysphoria, but not other medical conditions, such as breast cancer or trauma, constitutes discrimination in health coverage based on age, sex, gender identity,

gender expression, sexual orientation, and health conditions in violation of federal and state law." Here, California interprets and extends nondiscrimination provisions for protected attributes similar to those present in the New Mexico Insurance Code, including health conditions, sex, gender, and sexual orientation, as OSI intends to do through this rule.

STATUTORY AUTHORITY:

Sections 14-4-1 et seq., NMSA 1978, State Rules Act, and Sections 59A-23E-11 and 59A-16-13 NMSA 1978.

TO ATTEND THE HEARING IN PERSON: Office of Superintendent of Insurance - 1120 Paseo de Peralta, (PERA Building), 4th Floor Hearing Room, Santa Fe, NM 87501.

PLEASE NOTE: The entrance to the PERA Building is on the ground floor. All guests must sign in with the ground floor receptionist, then each guest will be escorted to the 4th Floor Hearing Room. Please give yourself extra time to check in before the hearing starts.

TO ATTEND THE HEARING BY ELECTRONIC VIDEO CONFERENCE VIA MS TEAMS MEETING:

COPY AND PASTE THE FOLLOWING INTO YOUR BROWSER:

Join: <https://teams.microsoft.com/meet/233916808064369?p=iNojhWwU2o1tlIQqE>
Meeting ID: 233 916 808 064 369
Passcode: pw7VV7db

TO ATTEND THE HEARING DIAL BY PHONE:

+1 505-312-4308,,413174163#
United States, Albuquerque
Phone conference ID: 413 174 163#

PUBLIC COMMENT: The Superintendent designates Ms. Danelle Callan as the hearing officer. Oral comments will be accepted at

the public hearing from members of the public and other interested parties in-person or via electronic video conference. Copies of the Notice of Proposed Rulemaking and proposed rule are available by electronic download from the OSI eDocket: <https://edocket.osi.state.nm.us/home>. You must login or register to get access if you are not already registered. You may also request copies of the Notice of Proposed Rulemaking and proposed rule by emailing Dr. Monica Snowden at monica.snowden@osi.nm.gov or by phone at: 505-699-6311. Email communication is preferred. To view all filings in OSI's rulemaking information, please visit the OSI website at: <https://www.osi.state.nm.us/en/legal-information/rulemaking/>, as the OSI rulemaking record is filed on the eDocket. Please follow the instructions on the web page for using the eDocket. There is no charge for using the eDocket (to find this rulemaking use the following eDocket Number: 2026-0127). You may also visit the Sunshine Portal at: https://statenm.my.salesforce-sites.com/public/SSP_RuleHearingSearchPublic (from the "Agency" drop down menu, select "Office of Superintendent of Insurance").

DEADLINE TO SUBMIT

WRITTEN COMMENTS: Written comments will be accepted through 4:00 p.m. on Thursday, August 27, 2026. Responses to written comments or to oral comments delivered at the hearing will be accepted through 4:00 p.m. on Thursday, September 10, 2026. All comments shall be filed electronically through the OSI eDocket. Please copy the following link into your browser to get to the eDocket: <https://edocket.osi.state.nm.us/home>, you must login or register to get access. To find this rulemaking use the following Docket Number: 2026-0127.

FILING WRITTEN COMMENTS:

To file written comments on the OSI eDocket please send written comments to the following email

address: osi-docketfiling@state.nm.us.

Please send written comments by at least 3:30 p.m. to ensure filing by the 4:00 p.m. deadline.

To access filings on the OSI eDocket, please copy the following link into your browser to get to the eDocket: <https://edocket.osi.state.nm.us/home>, you must login or register to get access. To find this rulemaking use the following Docket Number: 2026-0127.

Written comments may be sent via U.S. mail to:

OSI Records and Docketing
NM Office of Superintendent of Insurance
P.O. Box 1689, Santa Fe, NM 87504-1689

Written comments must be received by OSI and stamped as accepted between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday except on state holidays. The Superintendent will consider all oral comments and will review and consider all timely submitted written comments and written responses. For help submitting a filing, please send an email to: osi-docketfiling@state.nm.us. **The docket number and title below must be indicated on all written comments submitted to OSI:**

Docket Number: 2026-0127
IN THE MATTER OF 13.10.41
NMAC, Specified Sex Trait
Modification Procedure.

SPECIAL NEEDS: Any person with a disability requiring special assistance to participate in the hearing should contact Ms. Andrea Padilla at 505-531-7171 no later than ten (10) business days prior to the hearing.

TAXATION AND REVENUE DEPARTMENT

NOTICE OF PROPOSED RULEMAKING

The New Mexico Taxation and Revenue Department hereby gives notice as required under Section 14-4-5.2 NMSA 1978 and 1.24.25.11 NMAC that it proposes to repeal and replace the following rules pertaining to the Taxation and Revenue Department Act, as authorized by Section 6-5-19 NMSA 1978. The State Records Center and Archives Administrative Law Division is requiring a repeal and replace of the entire regulation part Title 3: Taxation, Chapter 1: Tax Administration, Part 2: Promulgation of Regulations in order to make this amendment, citing Regulation Subsection C of 1.24.11.9 NMAC.

Summary of Proposed Changes:

The New Mexico Taxation and Revenue Department proposes to repeal and replace the following rules:

Taxation and Revenue Department Act:

Title 3: Taxation, Chapter 1: Tax Administration, Part 2: Promulgation of Regulations

3.1.2.1 - Issuing Agency

3.1.2.2 - Scope

3.1.2.3 - Statutory Authority

3.1.2.4 - Duration

3.1.2.5 - Effective Date

3.1.2.6 - Objective

3.1.2.7 - Definitions: [Reserved]

Section 9-11-6.2 NMSA 1978

3.1.2.8 - Rulings General

3.1.2.9 - Hearing For Proposed

Regulations

Section 9-11-12.1 NMSA 1978

3.1.2.10 - Cooperative Agreement;

Rate Changes; Effective Date

3.1.2.11 - Secretary May Designate

Reporting Requirements Of Some

Receipts

Technical Information:

No technical or scientific information was consulted in drafting these proposed rule changes.

Purpose of Proposed Rule:

The proposed rules are being amended and enacted to align the regulations with the passage of House Bill 291 in the 2026 legislative

session that amended Section 9-11-12.1 NMSA 1978. This legislative and regulation change aligns the submittal of any ordinance of a tribe imposing, amending or repealing a tax administered by the Taxation and Revenue Department to the same due dates and requirements for local governments. Ordinances are required to have an effective date of July 1, or January 1 if the governor declares a state of emergency or if there is an unforeseen occurrence that would cause hardship for the tribe.

The regulations pertaining to Department rulings are updated to reflect current statute and Department processes.

Notice of Public Hearing:

A public hearing will be held on the proposed rule changes on Thursday, August 27, 2026, from 1PM to 2PM at the 3rd floor in the Montoya Building, 1100 South St. Francis Drive, Santa Fe, New Mexico 87504. The hearing will be recorded, and oral comments can be made during the public hearing. Written comments can be submitted as outlined at the end of this notice.

Virtual meeting access is available using Microsoft Teams:
<https://teams.microsoft.com/meet/231637413498714?p=t9nSpGsSs4G4gt3Zyr>
Meeting ID: 231 637 413 498 714
Passcode: sC9a2Fc7
Dial in by phone 1-505-312-4308
Conference ID: 972 727 80#

The rule proposals were placed on file in the Office of the Secretary on July 13, 2026. Pursuant to Regulation 3.1.2.9 NMAC under Section 9-11-6.2 NMSA 1978 of the Taxation and Revenue Department Act, the final of the proposals, if filed, will be filed as required by law on or about September 22, 2026.

Individuals with disabilities who need any form of auxiliary aid to attend or participate in the public hearing are asked to contact the Tax Information and Policy Office at policy.office@

tax.nm.gov. The Taxation and Revenue Department will make every effort to accommodate all reasonable requests but cannot guarantee accommodation of a request that is not received at least ten calendar days prior to the scheduled hearing.

Copies of the proposed rules:

Are located at: <https://www.tax.newmexico.gov/all-nm-taxes/proposed-regulations-hearing-notice/> or are available upon request by contacting the Tax Policy Office at policy.office@tax.nm.gov.

Notice of Acceptance of Written Public Comment:

Written comments on the proposals can be submitted by email to policy.office@tax.nm.gov or by mail to the Taxation and Revenue Department, Tax Information and Policy Office, Post Office Box 630, Santa Fe, New Mexico 87504-0630 on or by 5PM on Thursday, August 27, 2026.

All written comments received by the agency will be posted on <https://www.tax.newmexico.gov/all-nm-taxes/proposed-regulations-hearing-notice/> no more than three business days following receipt to allow for public review.

TAXATION AND REVENUE DEPARTMENT

NOTICE OF PROPOSED RULEMAKING

The New Mexico Taxation and Revenue Department hereby gives notice as required under Section 14-4-5.2 NMSA 1978 and 1.24.25.11 NMAC that it proposes to repeal and replace certain rules and regulations pertaining to the Cigarette Tax Act. The State Records and Archives Administrative Law Division is requiring a repeal and replace of the following rules to make amendments, citing Regulation Subsection C of 1.24.11.9 NMAC.

Summary of Proposed Changes:

The New Mexico Taxation and Revenue Department proposes to repeal and replace the following rules:

Cigarette Tax Act:

Title 3:- Taxation; Chapter 9:
Cigarette Products Taxes; Part 1:
General Provisions

3.9.1.1 - Issuing Agency

3.9.1.2 - Scope

3.9.1.3 - Statutory Authority

3.9.1.4 -Duration

3.9.1.5 - Effective Date

3.9.1.6 - Objective

Section 7-12-2 NMSA 1978 -
Definitions

3.9.1.7 - Definitions

3.9.1.18 - False and Fraudulent
Manufacturing Labels

Section 7-12-4 NMSA 1978 -
Exemption

3.9.1.9 - Documentation to
Substantiate the Issuance of a Tribal
License

3.9.1.10 - Documentation to
Substantiate Sales of Cigarettes to
Exempt Entities

Section 7-12-5 NMSA 1978 - Affixing
Stamps

3.9.1.8 - Cigarettes as a Prize are
Taxable

3.9.1.11 - Qualifications for a Stamp
to be Considered Affixed

Section 7-12-7 NMSA 1978 - Sale of
Stamps; Prices

3.9.1.12 - Cigarette Stamp Quantities

Section 7-12-9.1 NMSA 1978
- Licensing; General Licensing
Provisions

3.9.1.13 - Cigarette Distributor and
manufacturer - Licensing Fee

Section 7-12-9.4 NMSA 1978 - Retail
Sale of Cigarettes

3.9.1.14 - Cigarettes Not Purchased
from a Licensed Distributor

Section 7-12-13.1 NMSA 1978 - Civil
Penalties

3.9.1.15 - Civil Penalties

Section 7-12-13.2 NMSA 1978

- Criminal Offenses; Criminal
Penalties; Seizure and Destruction of
Evidence

3.9.1.19 - Possession of Contraband
Cigarette; Seizure

3.9.1.20 - Right of Appeal

3.9.1.21 - Appeal Procedures

3.9.1.22 - Forfeit

Section 7-12-18 NMSA 1978 -
Reports

3.9.1.16 - Reporting Under Section
7-12-18 NMSA 1978

3.9.1.17 - Documentation of
Cigarettes Shipped Out of New
Mexico

Title 3: Taxation; Chapter 9: Cigarette
Products Taxes; Part 1: Shipment of
Unstamped Cigarettes in New Mexico

3.9.1.1 - Issuing Agency

3.9.1.2 - Scope

3.9.1.3 - Statutory Authority

3.9.1.4 -Duration

3.9.1.5 - Effective Date

3.9.1.6 - Objective

3.9.1.7 - Definitions

Section 7-12-12 NMSA 1978 -

Shipment of Unstamped Cigarettes in
New Mexico

3.9.2.8 - Transporting Unstamped
Cigarettes into New Mexico

Technical Information:

No technical information was
consulted in drafting these proposed
rule changes.

Purpose of Proposed Rule:

The proposed rule updates are to match the regulations to current rule formatting and to update the regulations based on current department and industry business practices. Some regulations have been placed under the definition portion of the rule to make clear they apply to the entire Act, and some regulations have been repealed if the statutes themselves clearly outline the requirement. The civil penalty regulations have been updated to outline the process for businesses with multiple locations. The appeal process has been updated; the Administrative Hearings Office (AHO) has been removed from the Taxation and Revenue Department since 2015. The civil penalty assessments currently fall under the protest process with the AHO. The appeal process has been updated to align the timeline with the protest submittal timeline of ninety days.

Notice of Public Rule Hearing:

A public hearing will be held on the

proposed rule changes on Thursday, August 27, 2026, from 11AM to noon at the 3rd floor in the Montoya Building, 1100 South St. Francis Drive, Santa Fe, New Mexico 87504. The hearing will be recorded, and oral comments can be made during the public hearing. Written comments can be submitted as outlined at the end of this notice.

Virtual meeting access is available using Microsoft Teams:
<https://teams.microsoft.com/meet/22314554383040?p=qD5X24SESgaq8TLeKy>
Meeting ID: 223 145 543 830 40
Passcode: 9eb6cb3e
Dial in by phone 1-505-312-4308
Conference ID: 790 861 760#

The rule proposals were placed on file in the Office of the Secretary on July 13, 2026. Pursuant to Regulation 3.1.2.9 NMAC under Section 9-11-6.2 NMSA 1978 of the Taxation and Revenue Department Act, the final of the proposals, if filed, will be filed as required by law on or about September 22, 2026.

Individuals with disabilities who need any form of auxiliary aid to attend or participate in the public hearing are asked to contact the Tax Information and Policy Office at policy.office@tax.nm.gov. The Taxation and Revenue Department will make every effort to accommodate all reasonable requests but cannot guarantee accommodation of a request that is not received at least ten calendar days prior to the scheduled hearing.

Copies of the proposed rules:

Are located at: <https://www.tax.newmexico.gov/all-nm-taxes/proposed-regulations-hearing-notices/> or are available upon request by contacting the Tax Policy Office at policy.office@tax.nm.gov.

Notice of Acceptance of Written

Public Comment: Written comments on the proposals can be submitted by email to policy.office@tax.nm.gov or by mail to the Taxation and Revenue Department, Tax Information and

Policy Office, Post Office Box 630, Santa Fe, New Mexico 87504-0630 on or by 5PM on Thursday, August 27, 2026.

All written comments received by the agency will be posted on <https://www.tax.newmexico.gov/all-nm-taxes/proposed-regulations-hearing-notices/> no more than three business days following receipt to allow for public review.

**End of Notices of
Rulemaking and
Proposed Rules**

Adopted Rules

Effective Date and Validity of Rule Filings

Rules published in this issue of the New Mexico Register are effective on the publication date of this issue unless otherwise specified. No rule shall be valid or enforceable until it is filed with the records center and published in the New Mexico Register as provided in the State Rules Act. Unless a later date is otherwise provided by law, the effective date of the rule shall be the date of publication in the New Mexico Register. Section 14-4-5 NMSA 1978.

EARLY CHILDHOOD EDUCATION AND CARE DEPARTMENT

This is an Emergency Amendment to 8.9.4 NMAC, Section 3 and 31 effective 07/01/2026.

8.9.4.3 STATUTORY AUTHORITY: The regulations set forth herein, which govern the licensing of facilities providing child care to children, have been promulgated by the secretary of the New Mexico Early Childhood Education and Care Department, by authority of the Early Childhood Education and Care Department Act, Section 9-29-1 to 9-29-12 NMSA 1978; Section 3-21-1 NMSA 1978; Section 59A-52-18 NMSA 1978; and Subsection D of Section 24-1-2 NMSA 1978, Subsection I of Section 24-1-3 NMSA 1978 and Section 24-1-5 NMSA 1978 of the Public Health Act, Sections 24-1-1 to 24-1-22, NMSA 1978, as amended. [8.9.4.3 NMAC - N, 11/01/2022; A/E, 07/01/2026]

8.9.4.31 LICENSURE REQUIREMENTS FOR HOMES:

A. LICENSING REQUIREMENTS:

(1)

APPLICATION FORM: An applicant will complete an application form provided by the licensing authority and include payment for the non-refundable application fee. Applications will be rejected unless all supporting documents are received within six months of the date indicated on the application. A 45 day extension will be granted if the licensee provides documentation to the licensing authority that documents were submitted to the appropriate agencies in a timely manner but, through no fault of their own, they

have not received responses from these agencies.

(2)

A home will submit a new application to the licensing authority before changing anything required to be stated on the license such as dates, capacity, operator, or address.

(3)

BACKGROUND CHECK: In addition to the basic requirements at 8.9.4.19 NMAC of the general provisions an applicant will apply for a national criminal records check. The licensing authority will provide a copy of the most current version of the department's background check and employment history verification provisions (8.9.6 NMAC), regulations, fingerprint instructions, and forms for recording an employment history. The licensee will be responsible for obtaining background checks on all staff members, educators, volunteers, and prospective staff members, educators, volunteers, any person who may have unsupervised physical access to children, and all adults residing in the home as per the requirements outlined in the department's most current version of the background check and employment history verification provisions. A household member reaching the age of 18 must submit their background check in accordance with the most current provisions of 8.9.6 NMAC within 30 days after their eighteenth birthday. All requirements of the current background check and employment history verification provisions pursuant to 8.9.6 NMAC must be met prior to the issuance of an initial license. Prior to a staff member's employment, a staff member must receive a notice of provisional employment or obtain a background check in accordance with 8.9.6 NMAC. A background check must be

conducted in accordance with 8.9.6 NMAC at least once every five years on all required individuals.

(4) ZONING

AND OTHER APPROVALS: An applicant will have:

(a)

current written ~~[zoning approval]~~ verification of zoning compliance from the appropriate city, county or state authority; and

~~[(b)]~~

~~current written approval of the state fire marshal office or other appropriate city, county or state fire prevention authority if applicable;~~

~~[(c)]~~ (b)

current written approval from the New Mexico environment department or other environmental health authority for: (i) Private water supply, if applicable; (ii) Private waste or sewage disposal, if applicable; and (iii) A swimming pool, if applicable.

(5)

SCHEDULE: All applications for a new license will include a description of the home's proposed activities and schedule.

(6) INITIAL

SURVEY: The licensing authority will schedule a survey for a home when it receives a complete application with all supporting documents.

B. CAPACITY OF A HOME:

(1) The

number of children in a home, either in total or by age, will not exceed the capacity stated on the license.

(2) The

licensing authority will count all children in the care of the licensed home, including the educator's own children under the age of six, in the capacity of a home, even if the children are on a field trip or other outing outside the home. The licensed capacity must not be exceeded by the

presence of non-residential school age children.

(3) A home may be licensed for up to 12 children.

(4) A home licensed as a family day care home under these regulations providing care for a maximum capacity of six children may care for up to four children under the age of two providing a second educator is present in the home and the home is licensed to provide such care. A home licensed as a group day care home under these regulations providing care for a maximum of 12 children may care for up to four children under age two providing a second educator is present in the home and the home is licensed to provide such care.

(5) A home must have 35 square feet of activity and sleeping space per child, excluding bathrooms, kitchens, halls and other built-in fixtures and offsets, with total capacity limited to no more than 12 children. A home must have at least one bathroom with a toilet and sink. For a home licensed for no more than six children, one activity room will be measured. For a home licensed for 12 children, no more than two rooms will be measured. Children shall not be cared for in unlicensed areas of the home.

(6) The home will have an outdoor play area, which must be contained by a fence. Outside play areas must be on the premises or approved by the licensing authority.

C. INCIDENT REPORTING REQUIREMENTS:

(1) The licensee will report to the appropriate authorities the following incidents. After making a report to the appropriate authorities, the licensee shall notify the licensing authority of the incident giving rise to its report as soon as possible but no later than 24 hours after the incident occurred. A report should first be made by telephone and followed with written notification. The licensee shall report any incident that has threatened or could threaten the health and safety of children and staff members, such as, but not limited to:

(a) a lost, or missing or unattended child;

(b) a serious injury;

(c) the abuse or neglect of a child;

(d) fire, flood, or other natural disaster that creates structural damages to a home or poses a health hazard;

(e) any of the illnesses on the current list of notifiable diseases and communicable diseases published by the office of epidemiology of the New Mexico department of health;

(f) any legal action against a home, household member, or staff members;

(g) any incident that could affect the background check eligibility of any cleared person related to this license;

(h) the use of physical or mechanical restraints, unless due to documented emergencies or medically documented necessity; or

(i) any known change in an educator's health condition or use of medication that impairs his or her ability to provide for the health, safety or welfare of children in care.

(2) A home will notify parents or guardians in writing of any incident, including notifiable illnesses, that has threatened the health or safety of children in the home. The licensee shall ensure that it obtains parent or guardian signatures on all incident reports within 24 hours of the incident. The licensee shall immediately notify the parent or guardian in the event of any head injury. Incidents include, but are not limited to, those listed in Paragraph (1) of Subsection C of 8.9.4.31 NMAC.

(3) Incident reports involving suspected child abuse and neglect must be reported immediately to children's protective services and local law enforcement. The licensing authority follows written protocols/procedures for the prioritization, tracking, investigation and reporting of incidents, as outlined

in the complaint investigation protocol and procedures. [8.9.4.31 NMAC - N, 11/01/2022; A/E, 07/01/2026]

ECONOMIC DEVELOPMENT DEPARTMENT

This is an amendment to 5.5.50 NMAC, Section 10, effective July 28, 2026.

5.5.50.10

REIMBURSABLE EXPENSES:

A. The following expenses may be eligible for reimbursement through JTIP.

(1) A percentage of trainee wages for up to six months of initial training.

(2) Cost of providing custom classroom training at a New Mexico post-secondary public educational institution with a cap of \$6,000 per trainee. Reimbursement for classroom training is consistent with JTIP policy and ranges from fifty percent to seventy-five percent based on company location.

(3) A percentage of intern wages for up to 1040 training hours.

B. Standard reimbursement rates for wages range up to seventy-five percent. Positions that meet the JTIP requirements with starting wages at levels eligible for the high wage job tax credit may be also eligible for an additional five percent wage reimbursement. Positions filled by trainees who meet any of the three following criteria may be eligible for an additional five percent wage reimbursement above the standard rates if the approved entry wage is at least the minimum rate for the Job Zone as outlined in the JTIP wage chart on Paragraph (2) of Subsection D. of 5.5.50.10 NMAC for Zones 1, 2, 3 and 4:

(1) Trainee has graduated out of the New Mexico Foster Care System.

(2) Trainee has graduated within the past 12

months from a post-secondary training or academic program at a New Mexico institution of higher education.

(3) Trainee is a U.S. veteran.

Companies may combine any one of the three conditions above with the additional five percent wage reimbursement for high-wage positions, for a total additional wage reimbursement not to exceed ten percent above the standard rates. If a company is participating in other job reimbursement training programs such as the Workforce Innovation and Opportunity Act (WIOA), the combined reimbursement to the company may not exceed one hundred percent.

C. JTIP approved employers that utilize business support services through the recognized New Mexico Workforce Connection offices across the state or through other independent human resource support service providers that help small businesses develop successful recruitment strategies to grow and retain their workforce may be eligible for an additional five percent reimbursement above the standard rates.

D. The job training incentive program allows for reimbursement only at the completion of training. If an employee does not complete the training period, no funds can be claimed for that employee. If another trainee can be hired in that position within the six month hiring period and complete training before the contract end date, a claim can be submitted for the successful trainee.

E. Wage reimbursement:

(1) Trainee wages are generally the largest expense associated with training. JTIP reimburses the company for a significant portion of trainee wages during the initial training period. The percentage of standard reimbursement ranges up to seventy-five percent, depending on the business location.

(2) The number of hours eligible for reimbursement varies by position, up to 1,040 hours (six months). The number of hours eligible for reimbursement for each position is based on the O*NET (occupational information network) job zone classification for the O*NET position which most closely matches the company's job description and the wage paid the trainee at the point of hire. The O*NET system, sponsored by the US department of labor, is available at <http://onetonline.org>. Each job in the O*NET system is assigned to one of five job zones, with recommended training hours for each zone. [For fiscal year 2026, the JTIP board may maintain wage requirements effective in the first year of JTIP approval for the length of the job ramp within the project participation agreement (PPA) for companies that are also engaged in a LEDA agreement with the economic development department provided the company meets job creation requirements within the period and wages do not fall below the statewide minimum wage.] Minimum wage requirements for subsequent fiscal years may be reviewed annually by the board and may be adjusted using an inflation or wage-growth index that best reflects economic conditions. Acceptable indices include, but are not limited to, the Consumer Price Index (CPI-U or CPI-W), the Personal Consumption Expenditures Price Index (PCE), the Employment Cost Index (ECI) and the Mountain Region CPI. Any adjustment will apply for the entire fiscal year beginning July 1. If the selected index reflects negative growth, the board may choose to maintain current requirements.

The number of recommended hours [for fiscal year 2026] are outlined in the table below.

General Guideline for Duration of Reimbursable Training Time/Wages [for FY2026 (July 1, 2025-June 30, 2026)]							
Job Zone	Definitions	SVP Range/ Conversions	Hours	Min. Wage @ Hiring - Urban	Min. Wage @ Hiring - Rural	Days	Weeks
1	Little or no preparation needed	Below 4.0	320	[15.95] <u>16.22</u>	[13.56] <u>13.79</u>	40	8
2a	Some preparation needed	4.0 to < 6.0	480	[17.49] <u>17.79</u>	[14.08] <u>14.31</u>	60	12
2	Some preparation needed	4.0 to < 6.0	640	[19.04] <u>19.36</u>	[14.59] <u>14.83</u>	80	16
3a	Medium preparation needed	6.0 to < 7.0	800	[20.58] <u>20.92</u>	[16.13] <u>16.40</u>	100	20
3	Medium preparation needed	6.0 to < 7.0	960	[22.12] <u>22.49</u>	[17.16] <u>17.45</u>	120	24

4	Considerable preparation needed	7.0 to < 8.0	1,040	[25.21] <u>25.63</u>	[18.19] <u>18.49</u>	130	26
	Align with HWJTC	Additional five percent		28.85	19.23		

(3) The JTIP staff will ensure that the O*NET occupations match the company job description for the requested position and that training hours requested do not exceed the O*NET guideline. The board will also review the company's educational and experience requirements of the applicants to determine the degree of match with the company's job descriptions. The JTIP board may award training hours based on the O*NET guideline unless the company clearly substantiates that additional hours are required. In determining the appropriate number of training hours, the board considers the training plan, the training objectives, and the hourly wage at point of hire associated with the position.

(4) The board has also adopted a wage requirement for JTIP participation. The wage requirement varies by job zone and company location (rural/urban). These requirements are listed in the tables above. If a company establishes a wage range which includes wages below the minimum wage recommended for that position and job zone, the number of hours eligible for reimbursement may be reduced from the O*NET recommended hours as per criteria and procedures set forth by and at the discretion of the JTIP board, which may include consideration of the company benefits package. Generally, the hours are reduced to the hours allowed for the next lower job zone. The reimbursement percentages may be adjusted at the discretion of the board based on availability of funds or sufficient appropriations.

(5) The percentage of wages reimbursed depends primarily on the business location. The categories for

location are urban, rural, frontier, economically distressed, and Native American land.

(a) Companies located in urban areas (cities with population above 60,000 in the most recent federal decennial census) and Class H counties (i.e., Los Alamos) are reimbursed at up to fifty percent for all eligible training hours. Urban communities are: Albuquerque [562,599] 555,119, Las Cruces [112,914] 118,133, Rio Rancho [111,803] 116,418, and Santa Fe [88,193] 90,468.

(b) Companies located in rural areas, outside those listed above are reimbursed at up to sixty-five percent for all eligible training hours.

(c) Companies located in frontier areas (communities with a population of 15,000 or fewer and outside an MSA) are reimbursed at up to seventy-five percent for all eligible training hours.

(d) Companies located in an economically distressed area in New Mexico are eligible for up to seventy-five percent reimbursement. To receive up to seventy-five percent reimbursement, a company must be located in a county with an unemployment rate significantly higher than the state unemployment rate. However, the JTIP board may entertain an exception to this policy when a company is located in a community experiencing a combination of other distressed economic conditions such as recent significant job losses due to business closures or down-sizing, a decline in population, loss of gross receipts or other factors.

(e) Companies located on Native American reservations are eligible for up to seventy-five percent reimbursement.

(f) Companies located in federally designated colonias in New Mexico are eligible for up to seventy-five percent reimbursement for all eligible training hours.

(6) JTIP eligible positions with starting wages eligible for the high wage job tax credit may be eligible for an additional five percent reimbursement. These requirements are a hiring salary of \$60,000 or higher in an urban or class H county and a hiring salary of \$40,000 or higher in a rural location or economically disadvantaged area. Trainee requirements are still factors for JTIP eligibility. The percentage of wages reimbursed for high-wage positions filled by trainees who do not meet the one-year residency requirement is unique and not subject to any additional wage reimbursement above the standard rate. Companies located in urban areas and Class H counties are reimbursed up to forty percent for all eligible training hours. Companies located in rural areas are reimbursed up to fifty percent for all eligible training hours. Companies located in frontier areas are reimbursed up to sixty percent for all eligible training hours.

(7) JTIP eligible positions filled by trainees who have graduated within the past 12 months from a post-secondary training or academic program at a New Mexico institution of higher education may be eligible for an additional five percent reimbursement.

(8) JTIP eligible positions filled by U.S. veterans may be eligible for an additional five percent reimbursement.

(9) Trainee has graduated out of the NM Foster Care System may be eligible for an additional five percent reimbursement.

(10) Additional guidelines for wage reimbursement:

(a)
Eligible trainee hours shall not exceed 1,040 hours per trainee (six months) based on the company's scheduled workweek, not to exceed 40 hours per week.,

(b)
Reimbursement is calculated on base pay only. Bonus pay, overtime, commission and stock options are not eligible for reimbursement.

(c)
If the company compensates the trainee for annual, holiday or sick leave during the approved training period, those hours are included in the approved training hours at the base rate.

(d)
Any training hours that exceed the contracted amount are the responsibility of the company.

(e)
If a company is participating in other job reimbursement training programs such as WIOA, the combined reimbursement to the company may not exceed one hundred percent.

(f)
Additional wage reimbursement may not exceed ten percent above the standard rates. Companies may combine the additional five percent wage reimbursement for high-wage jobs with one of the three following conditions for an additional five percent wage reimbursement provided the entry wage is at least the minimum rate for the job zone as outlined in the JTIP wage chart on Paragraph (2) of Subsection D of 5.5.50.10 NMAC for Zones 1, 2, 3 and 4:

(i)
the trainee has graduated out of the New Mexico foster care system;

(ii)
the trainee has graduated within the past 12 months from a post-secondary training or academic program at a New Mexico institution of higher education;

(iii)
the trainee is a U.S. veteran. High-wage positions filled by trainees who do not meet the one-year residency requirement are not eligible for additional wage reimbursement above the standard rate.

F. Reimbursement for custom classroom training:

Payment for custom classroom training services provided by public post-secondary educational institutions is restricted to instructional costs. The rate of reimbursement to the institution is at a maximum of \$6,000 per trainee. Instructional costs for classroom training conducted by an educational institution may include course development, instructional salaries, relevant supplies and materials, expendable tools, accounting services, and other costs associated with conducting the training program. No training equipment may be purchased or rented using JTIP funds.
[5.5.50.10 NMAC - Rp, 5.5.50.10 NMAC, 6/26/2018; A, 1/1/2020; A, 7/14/2020; A, 7/7/2021; A, 7/12/2022; A, 6/27/2023, A 7/16/2024, A 7/15/2025, A 7/28/2026]

FINANCE AND ADMINISTRATION, DEPARTMENT OF

The New Mexico Department of Finance and Administration approved the repeal of 2.110.3 NMAC, Law Enforcement Protection Fund Distribution filed 12/27/2017 and replaced it with 2.110.3 NMAC, Law Enforcement Protection Fund Distribution adopted 7/13/2026, effective 7/28/2026.

The New Mexico Department of Finance and Administration approved the repeal of 2.110.5 NMAC, Juvenile Adjudication Fund Grants To Local Governments filed 6/16/2011 and replaced it with 2.110.5 NMAC, Juvenile Adjudication Fund Grants To Local Governments effective 7/28/2026.

The New Mexico Department of Finance and Administration approved the repeal of 3 NMAC 6.50, Procedures For County Treasurers filed 6/24/1998, and replaced it with 3.6.50 NMAC, Procedures For County Treasurers adopted 7/13/2026, effective 7/28/2026.

FINANCE AND ADMINISTRATION, DEPARTMENT OF

TITLE 2 PUBLIC FINANCE

CHAPTER 91 GRANTS PART 1 GRANT

MANAGEMENT AND OVERSIGHT REQUIREMENTS

2.91.1.1 ISSUING

AGENCY: Department of finance and administration.

[2.91.1.1 NMAC - N, 7/28/2026]

2.91.1.2 SCOPE: This rule applies to all state agencies involved in the issuance of capital outlay appropriations or special purpose appropriations authorized by the legislature.

[2.91.1.2 NMAC - N, 7/28/2026]

2.91.1.3 STATUTORY

AUTHORITY: This rule is promulgated pursuant to the "Public Finance Accountability Act", Section 6-3b-1 NMSA 1978.

[2.91.1.3 NMAC - N, 7/28/2026]

2.91.1.4 DURATION:

Permanent.

[2.91.1.4 NMAC - N, 7/28/2026]

2.91.1.5 EFFECTIVE

DATE: July 28, 2026, unless a later date is cited at the end of a section or paragraph.

[2.91.1.5 NMAC - N, 7/28/2026]

2.91.1.6 OBJECTIVE:

Establish uniform funding criteria and implement grant management and oversight requirements for state agencies responsible for disbursing capital outlay appropriations or other special purpose appropriations, thereby ensuring adherence to applicable laws and protecting public funds.

[2.91.1.6 NMAC - N, 7/28/2026]

2.91.1.7 DEFINITIONS:

A. "Adequate accounting methods and procedures" means that the design and operation of the grantee's internal

controls allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, on a timely basis:

(1)

noncompliance with applicable laws, policies, and procedures related to the expenditure of grant funds, including, but not limited to, expending grant funds after expiration of the expenditure period;

(2)

misstatements regarding grant funds, including, but not limited to, the failure to timely and accurately record and report grant revenue and expenditures;

(3) the

misappropriation of grant funds or assets acquired by grant funds, including, but not limited to, theft or embezzlement of funds or assets acquired with grant funds and the use of grant funds or assets acquired for other than allowable purposes.

B. “Annual audit”

refers to the yearly review or examination of a grantee’s financial affairs conducted by an independent auditor as mandated by the Audit Act.

C. “Corrective action plan”

refers to a plan prepared by a grantee that addresses each annual audit finding in a comprehensive and detailed manner, with specific implementation steps and timelines for resolution. Corrective action plans must comply with 2.2.2.10 NMAC and GAGAS 6.57 and 6.58.

D. “Department”

refers to the department of finance and administration.

E. “Federal single audit”

refers to the mandatory, organization-wide audit required under 2 C.F.R. Part 200 for entities that spend \$1,000,000 or more in federal funds within a fiscal year. Federal single audit includes all forms and federal single audit documentation required under the Federal Single Audit Act of 1984, as amended, and 2 CFR part 200, subpart F.

F. “Fiscal Agent”

refers to an organization with adequate accounting methods and

procedures approved by a grantee and the home agency to manage the financial and administrative matters of the grantee regarding a grant.

G. “Force majeure event”

refers to an unusual, extraordinary, sudden, unexpected, unforeseeable, unavoidable, or uncontrollable event that makes performance of the requirements of this rule impossible or impracticable, including but not limited to natural disasters, war, strikes, or pandemics.

H. “Grantee” refers to an entity that receives a capital outlay appropriation or another special purpose appropriation from a state agency.

I. “Home agency” means the agency to which capital outlay or special appropriation is appropriated.

J. “Independent auditor” means a certified public accountant or chartered accountant approved by the state auditor to examine a grantee’s financial records and transactions, impartially and objectively determining compliance with generally accepted accounting principles and state laws and rules.

K. “Material weakness” means a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity’s financial statements will not be prevented or detected and corrected on a timely basis.

L. “Significant deficiency” means a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness yet is important enough to merit attention by those charged with governance.

M. “Special conditions” refers to additional requirements or terms beyond the standard conditions outlined in the appropriation or grant agreement that mitigate risks identified in an annual audit, risk assessment, or project readiness review. This includes, but is not limited to, specific reporting formats, timelines, or frequency; restrictions on allowable costs or

specific accounting practices; specific project activities, timelines, or milestones; rules about key personnel; change-in-personnel notifications; or applicable rates.

N. “Special purpose appropriation” refers to any nonrecurring, one-time appropriation of state funds authorized for a specific purpose. This type of appropriation is used to fund projects that are not part of a state agency’s ongoing, annual operating budget.

O. “State agency” refers to any department, institution, board, bureau, commission, district, or committee of state government.

P. “Tribal government” means a federally recognized indian nation, tribe, or pueblo located wholly or partially in new mexico or any of its governmental entities or subdivisions. [2.91.1.7 NMAC - N, 7/28/2026]

2.91.1.8 FUNDING CRITERIA:

A. To be eligible for state capital outlay appropriations or any special purpose appropriations, a grantee must meet the following criteria:

(1) A grantee must have completed an annual audit for one of the past two fiscal years, and the most recently completed annual audit must be a public record pursuant to the audit act.

(2) A grantee must adhere to financial reporting requirements and secure approval for the current fiscal year’s budget from any applicable governing body or oversight agency.

(a) For grantees that are local public bodies as defined by Section 6-6-1, NMSA 1978, the applicable budgetary oversight agency is the local government division of the department.

(b) For grantees that are subject to the public school finance act, Section 22-8-11. NMSA 1978, the applicable budgetary oversight agency is the public education department.

(c) For grantees that are subject to the authority granted under Paragraph (2) of Subsection A of Section 21-1-26 NMSA 1978, the applicable budgetary oversight agency is the higher education department.

(3) Grantees exempt from annual audit requirements must demonstrate to the state agency making the award sufficient accounting methods and procedures that ensure a strong system of fiscal controls and proper tracking of fund payments, disbursements, and balances, adhering to the specific guidelines outlined in the state's model accounting practices, as amended.

(4) If a grantee's most recent annual audit documents material weaknesses or significant deficiencies, findings that raise concerns about the grantee's ability to expend grant funds in accordance with applicable law and to account for and safeguard grant funds and assets acquired with grant funds, or if the grantee's accounting methods and procedures fail to meet the requirements of Paragraph (3) above, the grantee must prepare a corrective action plan to address these issues.

(a) Grantees must include specific deadlines and responsible parties in corrective action plans to ensure accountability and progress tracking.

(b) Grantees must report monthly on the progress of the corrective action plan to their home agency until the material weaknesses, significant deficiencies, or other relevant findings are remedied as evidenced by certification from the state auditor per 2.91.1.9 NMAC below.

(5) In the case of a grantee who fails to meet any of the requirements of Paragraphs (1) - (4) above, before becoming eligible to receive capital outlay or special appropriation funding, the home agency issuing the funding must make one of the following determinations:

(a) the home agency can impose and has the resources to implement special

grant conditions that will adequately address any relevant deficiencies in the grantee's accounting methods and procedures; or

(b) another entity with adequate accounting methods and procedures is able and willing to act as fiscal agent for the grant;

(c) where the home agency determines that another entity with adequate accounting methods and procedures is able and willing to act as fiscal agent for the grant, the home agency must impose special conditions that ensure the grantee implements a corrective action plan to remedy any deficiency in compliance with Paragraphs (1) - (4), promptly.

B. To be eligible for state capital outlay appropriations or any special purpose appropriations, a Tribal government must meet the following criteria:

(1) A grantee must have, for the most recently concluded fiscal year, timely submitted to the federal government a federal single audit report. A federal single audit report is considered timely if submitted by any extended due date granted by the grantee's federal cognizant agency.

(2) If a grantee's most recent federal single audit raises concerns about the grantee's ability to expend grant funds in accordance with applicable law and account for and safeguard grant funds and assets acquired with grant funds:

(a) the grantee must remedy the inadequacies in its accounting methods and procedures to the satisfaction of the home agency making the grant;

(b) the home agency making the grant must determine it can impose and has the resources to implement special grant conditions that adequately address the inadequacies in the grantee's accounting methods and procedures; or

(c) the home agency making the grant must determine that another entity

with adequate accounting methods and procedures is able and willing to act as the fiscal agent for the grant. [2.91.1.8 NMAC - N, 7/28/2026]

2.91.1.9 CLEARANCE OF SPECIAL CONDITIONS OR FISCAL AGENT REQUIREMENTS:

When a grantee is required under 2.91.1.8 NMAC to submit a corrective action plan or to comply with specific conditions, or when a fiscal agent is required for the disbursement of any capital outlay or special appropriations, the home agency disbursing the capital outlay or special appropriation shall enforce these conditions or the fiscal agent requirement unless and until:

A. All material weaknesses, significant deficiencies, or other relevant findings are addressed, as evidenced by certification from the state auditor in accordance with Section 12-6-5, NMSA 1978; or

B. the state auditor determines, based on corrective actions taken by the grantee, that the grantee has adequate accounting methods and procedures to track and safeguard grant funds and assets acquired with the grant. [2.91.1.9 NMAC - N, 7/28/2026]

2.91.1.10 GRANT MANAGEMENT AND OVERSIGHT:

A. Home agencies must conduct a risk assessment on project readiness and ensure grantees are prepared to spend at least eighty-five percent of their allocated capital outlay funds within three years of the grant award.

B. Home agencies must adhere to the state's model accounting practices requirements for grant management and oversight (FIN 9.2), as amended, and use an approved capital outlay or special appropriation grant agreement template developed by the department.

C. Home agencies must analyze and review compliance and expenditure reports submitted by

grantees for capital outlay or special appropriations at least quarterly, and they must also be able to create fund drawdown projections for each project.

D. Home agencies, in collaboration with the state auditor's office, must develop policies and procedures for performing field audits of capital outlay or special appropriation projects using a statistical or stratified approach.

E. Grantees must undergo performance reviews to assess the implementation of corrective action plans for material weaknesses or significant deficiencies. The home agency must monitor compliance and take appropriate steps to address any non-compliance throughout the grant period.

F. Home agencies must ensure that the sales, leases, and licenses of capital assets acquired with appropriations are approved in accordance with applicable law.

G. Home agencies must continuously monitor a grantee's compliance with the applicable uniform funding criteria and take appropriate action to correct any noncompliance.

[2.91.1.10 NMAC - N, 7/28/2026]

2.91.1.11 FORCE MAJEURE WAIVER REQUESTS:

A. Grantees may request a waiver of strict compliance with the Public Finance Accountability Act due to a force majeure event.

B. The grantee must submit a detailed written waiver request to the home agency that administers the capital outlay appropriation or special purpose appropriation, including the following information:

(1) the specific force majeure circumstances that prevent strict compliance;

(2) the impact of the force majeure event on strict compliance;

(3) the alternative procedures the grantee proposes to prevent waste, fraud, and abuse of the appropriation; and

(4) a comprehensive timeline outlining the essential steps and completion timing for the grantee to achieve compliance with the Public Finance and Accountability Act.

C. Upon receiving a waiver request, home agencies must review the request, determine its reasonableness, and evaluate any alternative procedures that can be implemented to mitigate potential waste, fraud, or abuse resulting from the waiver of strict adherence to the Public Finance Accountability Act.

D. Home agencies must submit waiver requests for legal review to the department's general counsel's office at dfalegal@dfa.nm.gov.

E. At their sole discretion, the secretary of the department, in consultation with the state auditor, may grant a temporary waiver of any or all requirements of this rule, impose specific conditions for the award of a grant agreement, or establish any additional conditions or procedures necessary to prevent waste, fraud, or abuse of public funds.

F. The department will give all state agencies managing appropriations for the grantee a written determination that outlines any granted waiver, along with any alternative conditions or requirements related to that waiver.

[2.91.1.11 NMAC - N, 7/28/2026]

2.91.1.12 REQUESTS FOR FUNDING TO DEVELOP AND IMPLEMENT CORRECTIVE ACTION PLANS:

A. Grantees may request funding from the state auditor to develop, implement, and audit compliance with corrective action plans that address material weaknesses, significant deficiencies, or other relevant findings.

B. The state auditor, at his discretion and depending on available funding, will review and approve requests based on the grantee's demonstrated need and the potential impact on protecting public funds.

[2.91.1.12 NMAC - N, 7/28/2026]

**HISTORY OF 2.91.1 NMAC:
[RESERVED]**

**FINANCE AND
ADMINISTRATION,
DEPARTMENT OF**

**TITLE 2 PUBLIC
FINANCE**

**CHAPTER 110 LOCAL
GOVERNMENT GRANTS**

**PART 3 LAW
ENFORCEMENT PROTECTION
FUND DISTRIBUTION**

2.110.3.1 ISSUING

AGENCY: Department of finance, and administration, local government division.

[2.110.3.1 NMAC - Rp, 2 NMAC
110.3.1 NMAC, 7/28/2026]

2.110.3.2 SCOPE: These rules and regulations shall apply to all governmental entities that have participated in and received money from the fund or that expect to qualify to participate in the annual distribution of the fund.

[2.110.3.2 NMAC - Rp, 2 NMAC
110.3.2 NMAC, 7/28/2026]

2.110.3.3 STATUTORY

AUTHORITY: The division makes these rules pursuant to the authority of the Law Enforcement Protection Fund Act, being Sections 29-13-1 through 29-13-9 NMSA 1978, as amended.

[2.110.3.3 NMAC - Rp, 2 NMAC
110.3.3 NMAC, 7/28/2026]

2.110.3.4 DURATION:

Permanent.

[2.110.3.4 NMAC - Rp, 2 NMAC
110.3.4 NMAC, 7/28/2026]

2.110.3.5 EFFECTIVE

DATE: July 28, 2026, unless a different date is cited at the end of a section or paragraph.

[2.110.3.5 NMAC - Rp, 2 NMAC
110.3.5 NMAC, 7/28/2026]

2.110.3.6 OBJECTIVE:

The objective of this rule is to

set standards for the distribution and use of the law enforcement protection fund in accordance with the law, ensuring that all expenditures improve the efficiency, safety, and effectiveness of law enforcement agencies, while also maintaining accountability and adhering to procurement requirements. [2.110.3.6 NMAC - Rp, 2 NMAC 110.3.6 NMAC, 7/28/2026]

2.110.3.7 DEFINITIONS:

A. “Academy” means the New Mexico law enforcement academy.

B. “Accumulation” refers to retaining any part of a distribution from the law enforcement protection fund beyond the fiscal year it was received, whether this retention is intentional, planned, or incidental. It does not include program income from canceled or modified purchases, cost reductions, or other legitimate savings within the same fiscal year, provided such income is spent on authorized law enforcement purposes during that year.

C. “Applicant” means any governmental entity allowed by law to seek participation in the distribution from the fund.

D. “Carryover” refers to the retention, rollover, or transfer of any unused portion of a distribution from the law enforcement protection fund into a future fiscal year, including the use, rollover, or attempted use of any unspent amount from one fiscal year in the following year.

E. “Division” refers to the local government division of the department of finance and administration.

F. “Encumbered” refers to funds that are legally committed through contracts, purchase orders, or other binding agreements made within the fiscal year of distribution.

G. “Equipment” refers to tangible personal property purchased to directly support law enforcement activities, including, but not limited to, personal equipment (such as firearms, non-lethal weapons,

vests, handcuffs, batons, duty belts to carry these items, surgical gloves, flashlights, etc.), technology (such as license plate readers, cameras, radar detectors, body cameras, police radios, surveillance drones, surveillance cameras, audio equipment, facial recognition software, predictive policing software, etc.), vehicles (such as patrol cars, motorcycles, segways, bicycles, etc.), and other tools or equipment essential to law enforcement activities.

H. “Fund” refers to the law enforcement protection fund established by the Law Enforcement Protection Fund Act, as amended.

I. “Governmental Entity” refers to any political subdivision of the state established under general or special law that either receives or expends public funds.

J. “Indirect operating expenses” refer to costs that governmental entities incur for general operations but are not directly linked to law enforcement activities. These include rent, utilities, insurance, and administrative salaries, not directly tied to the delivery of law enforcement activities.

K. “Improvement or repair” refers to costs incurred for repairing, maintaining, or upgrading equipment owned or leased by a law enforcement agency, with the primary goal of preserving or enhancing the agency’s operational readiness, security, or storage capabilities.

L. “Maintenance tools” refers to instruments or supplies reasonably needed for maintaining or repairing law enforcement equipment or vehicles, such as bicycle tire pumps and diagnostic kits.

M. “Obligated” refers to funds that have been legally committed for spending within the fiscal year of distribution, including encumbered amounts and expenses already incurred, in accordance with applicable procurement and financial control requirements.

N. “Operational supplies and costs” refers to items

directly connected to law enforcement functions, including data storage devices and consumables related to investigations or evidence handling.

O. “Program income” refers to funds that are returned, credited, or become available to an agency within the fiscal year of distribution because of:

- (1) canceled or changed purchases or projects;
- (2) spending less than planned;
- (3) sale of equipment purchased with distributions from the fund; or
- (4) cost savings.

P. “Recruitment infrastructure” refers to digital or physical resources such as recruitment websites, advertising efforts, and community outreach tools used to attract and retain qualified law enforcement personnel.

Q. “Training” refers to advanced courses, classes, certifications, or instructions aimed at improving the professional skills, knowledge, safety, or effectiveness of law enforcement personnel.

R. “Tribal Police department” refers to any tribal or pueblo police force that has a formal agreement with the department of public safety under Section 29-1-11 NMSA 1978. The law enforcement agencies of the bureau of indian affairs do not qualify, as they are federal agencies.

[2.110.3.7 NMAC - Rp, 2 NMAC 110.3.7 NMAC 7/28/2026]

2.110.3.8 ELIGIBLE EXPENDITURES:

A. Eligible expenditures may encompass various categories, as long as they directly improve law enforcement operations’ capacity, safety, or functionality, or significantly aid recruitment and administrative efficiency through the purchase or acquisition of equipment, improvements or repairs to equipment, maintenance tools, operational supplies and costs, recruitment infrastructure, or training.

B. Eligible expenditures may include, but are not limited to:

- (1) law enforcement equipment;
- (2) certified police dogs, protective vests, and veterinary services;
- (3) advanced law enforcement training manuals;
- (4) advanced law enforcement planning and training in New Mexico or out of New Mexico if a comparable level of training is not available;
- (5) mileage and per diem for advanced law enforcement training or planning;
- (6) conferences associated with advanced law enforcement training and planning;
- (7) for the academy, tourniquet and trauma kits, and training on the use of tourniquets and trauma kits;
- (8) tuition, course fees, certification costs, travel, lodging, per diem, online course subscriptions, and reasonable expenses directly related to participation in advanced, specialized, or leadership training programs for law enforcement personnel.

C. Ineligible expenditures include, but are not limited to:

- (1) indirect operating expenses;
 - (2) general office supplies, including desks, chairs, and file cabinets;
 - (3) educational costs not associated with advanced training or planning;
 - (4) district attorney investigators and attorney general investigators; and
 - (5) kitchen appliances and bathroom accessories.
- [2.110.3.8 NMAC - Rp, 2 NMAC 110.3.8 NMAC 7/28/2026]

2.110.3.9 PROCEDURES FOR LAW ENFORCEMENT PROTECTION FUND DISTRIBUTION:

A. All applicants must use the forms prescribed by the division, which will be available on the division's website by March 1. It is the ultimate responsibility of each governmental entity to ensure they receive an application.

B. Every governmental entity seeking to participate in the distribution of the fund shall submit an application to the division by March 31. Late applications will not be considered absent a showing of unusual circumstances. The division director shall review the unusual circumstances associated with any late applications and determine whether the division will accept the late application.

C. Sufficient and accurate information shall be given on each application to establish the need and eligibility for funds. The division reserves the right to request further information if the division receives an incomplete application; however, the division is not obligated to make such requests. Incomplete applications shall be given 10 days from the date of notification from the division to complete the application. Late applications that are incomplete may be given less than 10 days from the date of notification to complete the application, if necessary for the division to comply with the timeline established in these rules, in the discretion of the division director.

D. The application must be signed by the chief law enforcement officer and head of the governmental entity certifying that the information is accurate.

E. On or before April 15, the division shall consider and determine the needs of the applicants.

F. On or before May 1, the division shall notify each applicant in writing of the amount of distribution the applicant will receive. The division's decision will be based on Section 29-13-4 NMSA 1978, as amended.

(1) Any applicant may appeal the division's decision by filing a written notice of appeal with the secretary of finance

and administration no later than May 15.

(2) The secretary of finance and administration shall review the division's determination in an informal and summary proceeding and shall certify the result of the appeal to the division no later than June 30. The division shall adjust its determination if the secretary of finance and administration approves the appeal.

(3) If no appeal is filed, the determination of the division shall be final and binding on May 15 and not subject to further review.

G. The division will certify and approve periodic allotments to be distributed from the fund by the state treasurer in accordance with Section 29-13-6 NMSA 1978, as amended.
[2.110.3.9 NMAC - Rp, 2 NMAC 110.3.9 NMAC, 7/28/2026]

2.110.3.10 PROHIBITION ON ACCUMULATION:

A. No governmental entity can carry over or accumulate fund distributions into the next fiscal year unless the funds are properly encumbered.

B. Any unexpended distribution shall revert to the law enforcement protection fund.

C. Amounts distributed from the fund shall be:

(1) expended only for the specific purposes as stated in the approved application; and

(2) expended pursuant to approved budgets and upon duly executed vouchers.

D. Any changes to the budget require prior written approval by the division.

E. The distributions from the fund are to be expended, not accumulated, except as provided for the peace officers' survivors fund.

F. Interest earned from a governmental entity's deposit of unspent amounts from the fund are program income and must only be used for purposes permitted under the

Law Enforcement Protection Fund Act.

G. Before applying for an award from the fund, government entities must agree that any proceeds from selling or trading items bought with fund money will be returned to their fund within six months of receipt. This returned amount is to be used for fund-allowable purposes. However, if the consideration was obtained as part of a trade to acquire items for fund-eligible uses, a reversion is not necessary. [2.110.3.10 NMAC - Rp, 2 NMAC 110.3.10 NMAC, 7/28/2026]

2.110.3.11 EXPENDITURE PLANNING CONSIDERATIONS:

A. To comply with Subsection C of Section 29-13-7, NMSA 1978, governmental entities should plan their annual expenditures to ensure that all distributions are fully committed within the same fiscal year they are received.

B. When creating annual budgets, governmental entities might benefit from prioritizing expenditures that lead to long-term enhancements in law enforcement functions, like officer safety gear, enhanced training, technological improvements, and recruitment efforts.

C. Agencies retain discretion in determining the most effective use of their distribution, provided that expenditures are consistent with New Mexico law and this rule. [2.110.3.10 NMAC - N, 7/28/2026]

HISTORY OF 2.110.3 NMAC: Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives under: LGD Rule 84-1, Relating to the Law Enforcement Protection Fund Act, filed 2/22/1984.

History of Repealed Material: 2 NMAC 110.3, Law Enforcement Protection Fund Distribution, filed 9/17/1996 - Repealed effective 12/27/2017. 2.110.3 NMAC - Law Enforcement

Protection Fund Distribution filed 12/14/2017, Repealed, effective 7/28/2026.

Other History: 2 NMAC 110.3, Law Enforcement Protection Fund Distribution, (filed 9/17/1996) was replaced by 2.110.3 NMAC, Law Enforcement Protection Fund Distribution, effective 12/27/2017. 2.110.3 NMAC - Law Enforcement Protection Fund Distribution filed 12/14/2017, Replaced by 2.110.3 NMAC - Law Enforcement Protection Fund Distribution filed 12/14/2017 effective 7/28/2026.

FINANCE AND ADMINISTRATION, DEPARTMENT OF

TITLE 2 PUBLIC FINANCE CHAPTER 110 LOCAL GOVERNMENT GRANTS PART 5 JUVENILE ADJUDICATION FUND GRANTS TO LOCAL GOVERNMENTS

2.110.5.1 ISSUING AGENCY: Department of finance and administration. [2.110.5.1 NMAC - Rp, 2.110.5.1 NMAC 7/28/2026]

2.110.5.2 SCOPE: All county and municipal governments. [2.110.5.2 NMAC - Rp, 2.110.5.2 NMAC 7/28/2026]

2.110.5.3 STATUTORY AUTHORITY: Section 34-16-1 NMSA 1978. Subsection E of Section 9-6-5 NMSA 1978. [2.110.5.3 NMAC - Rp, 2.110.5.3 NMAC 7/28/2026]

2.110.5.4 DURATION: Permanent. [2.110.5.4 NMAC - Rp, 2.110.5.4 NMAC 7/28/2026]

2.110.5.5 EFFECTIVE DATE: July 28, 2026, unless a later date is cited at the end of a section. [2.110.5.5 NMAC - Rp, 2.110.5.5 NMAC 7/28/2026]

2.110.5.6 OBJECTIVE:

A. In 2009, the New Mexico legislature enacted Laws of 2009, Chapter 244, which created the juvenile adjudication fund and was compiled as Section 34-16-1 NMSA 1978. Money in the juvenile adjudication fund is appropriated to DFA to administer the fund and to provide an alternative adjudication process for juveniles charged with traffic offenses and other misdemeanors.

B. The objective of 2.110.5 NMAC is to establish a juvenile adjudication fund grant program to fund programs providing alternative procedures of adjudication for juveniles charged with traffic offenses and other misdemeanors. [2.110.5.6 NMAC - Rp, 2.110.5.6 NMAC 7/28/2026]

2.110.5.7 DEFINITIONS:

A. "Applicant" means a county, municipality, or combination of two or more counties or municipalities that submits an application for a grant.

B. "Alternative adjudication program" means a program providing alternative procedures of adjudication for juveniles charged with traffic offenses and other misdemeanors. Teen courts are a type of alternative adjudication program.

C. "Cash transfer" means the transfer of funds by a grantee from an established, separate grant fund to other fund(s) in the grantee's budget.

D. "Charged" means accused of traffic offenses or other misdemeanors. It is not necessary for formal criminal proceedings to be initiated through issuance of a citation or otherwise for a juvenile to be charged for purposes of this rule.

E. "Components" means programs that are designed to address one or more specific traffic or other misdemeanor offenses or their underlying causes, including, but not limited to, programs addressing:

(1) substance abuse prevention;

management; (2) shoplifting;
education; (3) DWI;
building; (4) truancy;
cessation; (5) anger
counseling; (6) drivers
involvement; and (7) counseling;
parenting. (8) team
(9) smoking
(10) tutoring;
(11) peer
(12) parental
(13) teen

F. “DFA” means the department of finance and administration.

G. “Division” means DFA’s local government division.

H. “Grant” means the award of funds from the juvenile adjudication fund to a grantee to assist an alternative adjudication program.

I. “Grantee” means a county, municipality, or combination of two or more counties or municipalities receiving a grant.

J. “Grant funds” means the funds awarded from the juvenile adjudication fund pursuant to a grant.

K. “Grant program” means the program established by this rule to make grants from the juvenile adjudication fund.

L. “Indirect costs” refers to overhead, salaries and benefits for support staff, equipment costs, administrative expenses, supplies, and other expenses incurred by the grantee that are not direct costs of the alternative adjudication program.

M. “JPO” means juvenile probation officer.

N. “Juvenile adjudication fund” means the fund created by Section 34-16-1 NMSA 1978.

O. “Program guidelines” means guidelines for the operation of alternative adjudication programs established and revised by

the division from time to time.

P. “Supplantation” means the replacement or substitution of existing funding with grant funds. [2.110.5.7 NMAC - Rp, 2.110.5.7 NMAC 7/28/2026]

2.110.5.8 ADMINISTRATIVE REQUIREMENTS:

A. Grantees must comply with the program guidelines, all applicable laws and regulations, as well as requirements and procedures established in the grant agreement between the division and the grantee.

B. Grantees must establish a separate fund in their budget and accounting system to account for grant funds. This fund must be included in the grantee’s budget process and financial reports.

C. Grantees must have financial management systems that meet the standards set forth in this subsection.

(1) Financial reporting. Accurate, current, and complete disclosure of the financial results of financially assisted activities must be made in accordance with the financial reporting requirements of the grant agreement.

(2) Accounting records. Grantees must maintain records that adequately identify the source and application of funds provided for alternative adjudication programs. These records must contain information pertaining to grant awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays or expenditures, and income.

(3) Internal control. Effective control and accountability must be maintained for all grant funds and items purchased with grant funds. Grantees must adequately safeguard all such funds and items and must ensure that they are used solely for authorized purposes.

(4) Budget control. Grantees must have adequate systems to ensure actual expenditures or outlays do not exceed budgeted amounts for each grant.

(5) Source documentation. Accounting records must be supported by such source documentation as cancelled checks, paid bills, payrolls, time and attendance records, contract and subgrant award documents, etc. The division may review the adequacy of the financial management system of any applicant or grantee as part of a pre-award review or at any time after grant award. [2.110.5.8 NMAC - Rp, 2.110.5.8 NMAC 7/28/2026]

2.110.5.9 ELIGIBLE APPLICANTS:

A. Counties and incorporated municipalities in New Mexico are eligible to apply for grants. Two or more counties or municipalities may jointly apply for a grant, provided that the joint applicants must be within reasonable geographic proximity to each other and one applicant must be identified through joint resolution of the governing bodies of the applicants to be the lead applicant, responsible to the division for the administration of the grant.

B. Pueblo and tribal governments and non-profit organizations are not eligible to apply directly for grants. These organizations may receive funds from grantees as subgrantees, in the case of pueblo or tribal governments, or service providers, in the case of pueblo or tribal governments and non-profit organizations. [2.110.5.9 NMAC - Rp, 2.110.5.9 NMAC 7/28/2026]

2.110.5.10 ELIGIBILITY REQUIREMENTS:

A. The threshold eligibility requirements set forth in this subsection must be met for an applicant to be considered for a grant.

(1) The head of the local JPO office responsible for the geographic area in which the alternative adjudication program covered in the application is located must submit a letter indicating the intent of the JPOs in that office to refer juveniles to the alternative

adjudication program during the period covered by the requested grant.

(2) The alternative adjudication program covered by the application must have a qualified program coordinator in place responsible for the overall management of the alternative adjudication program. The applicant must identify the coordinator and explain the coordinator's qualifications in the application.

(3) The applicant must have completed all audits required under the Audit Act, have a budget approved by the division pursuant to Chapter 6, Article 6 NMSA 1978, and be current on all financial reports required to be submitted to the division under that article.

(4) A minimum of ten percent of the proposed operating budget of the alternative adjudication program to be assisted with grant funds must come from sources other than grant funds or other state funds. Cash valued in-kind contributions may be used to meet this matching requirement; provided, however, that, in the event the division disagrees with the grantee's valuation of in-kind contributions, the division's determination of the cash value of the in-kind contributions shall control for purposes of compliance with this matching requirement.

(5) Only alternative adjudication programs are eligible to be assisted with grant funds.

B. If the alternative adjudication program covered by the application has been in operation less than two consecutive years, the additional threshold eligibility requirements in this subsection must also be met for an applicant to be considered for a grant; provided, however, that the division may waive the additional requirements in this subsection if the applicant demonstrates and the division determines in writing that good cause exists to believe that the alternative adjudication program covered by the application will satisfactorily operate

without a mentorship relationship with an established alternative adjudication program.

(1) The alternative adjudication program must have a mentorship relationship with an alternative adjudication program that has been operational for more than two consecutive years. Documentation of that mentorship relationship must be submitted with the application.

(2) The mentor alternative adjudication program must submit a letter supporting the application for grant assistance for the alternative adjudication program that has been in operation for less than two consecutive years.
[2.110.5.10 NMAC - Rp, 2.110.5.10 NMAC 7/28/2026]

2.110.5.11 ELIGIBLE EXPENDITURES:

A. In accordance with the budget established pursuant to Subsection B of this section, grant funds may be spent on the following expenditures in support of the alternative adjudication program financially assisted by a grant:

(1) reasonable amounts of supplies and program materials that are directly related to the alternative adjudication program and will be consumed during the grant period;

(2) reasonable training expenditures for employees or volunteers providing direct services to the alternative adjudication program;

(3) travel for personnel and contractors of alternative adjudication programs, in accordance with and subject to the limitations provided in the Per Diem and Mileage Act and implementing regulations;

(4) the portion of employee salaries and benefits of personnel employed by an alternative adjudication program and county and municipal employees who provide direct services for the alternative adjudication program;

(5) indirect costs, such as overhead, salaries and benefits for support staff, equipment

costs, administrative expenses, supplies, and other expenses incurred by the grantee that are not direct costs of the alternative adjudication program, not to exceed five percent of the total grant funds; and

(6) contracts for services that directly support the alternative adjudication program.

B. Grantees shall develop and the division shall approve a budget for grant funds in such detail and such format as the division shall from time to time prescribe. All expenditures must be in accordance with the approved budget. The budget may only be amended as provided in the grant agreement.
[2.110.5.11 NMAC - Rp, 2.110.5.11 NMAC 7/28/2026]

2.110.5.12 INELIGIBLE EXPENDITURES: Grant funds cannot be used for:

A. capital outlay expenditures, including, but not limited to, the lease or purchase of land, buildings, facilities, furnishings, or equipment;

B. the purchase of food or beverages;

C. supplantation;

D. cash transfers; or

E. licensing, professional membership, or organizational fees or dues.
[2.110.5.12 NMAC - Rp, 2.110.5.12 NMAC 7/28/2026]

2.110.5.13 APPLICATION PROCEDURES, FORM, AND CONTENT:

A. For each application cycle, the division shall publish application instructions and submission protocols on its website.

B. Applications must be received by the local government division by 4:00 p.m. of the designated application deadline.

C. In the event that the application is incomplete or requires modification, the applicant will be promptly notified by the division. The applicant must then submit the information and modification requested. Applicants that do not

respond by the deadline established by the division are disqualified.

D. The applicant's governing body must authorize by resolution the applicant to submit the application. A copy of the resolution must be included with the application. [2.110.5.13 NMAC - Rp, 2.110.5.13 NMAC 7/28/2026]

2.110.5.14 APPLICATION REVIEW, RATING AND SELECTION:

A. The evaluation criteria for applications shall be developed for each application cycle and shall include, but not be limited to, the following:

(1) overall quality of the alternative adjudication program for which grant funds are sought and proposal approach;

(2) financial need of the alternative adjudication program and estimated impact of grant funds (e.g., grant funds would allow alternative adjudication program to remain operational; grant funds would allow the alternative adjudication program to serve more clients; or grant funds would allow alternative adjudication program to provide a higher level of service to clients);

(3) number of clients to be served;

(4) number and quality of components to be provided to clients;

(5) past performance of the alternative adjudication program (except for new programs);

(6) expenditure rates and performance of any current or past grant(s); and

(7) whether the alternative adjudication program will receive direct legislative appropriations during the grant period, in which case the amount of grant funds that the grantee would otherwise be awarded will be reduced by the amount of such direct legislative appropriations for the alternative adjudication program.

B. Evaluators selected by the division shall evaluate all

applications for eligibility and completeness. Complete applications that meet all threshold eligibility requirements shall be evaluated and rated based upon the evaluation criteria established in the application. Funding recommendations will be made to the division director based upon those ratings.

C. At any time during the application process, the division may request, and applicants shall provide, any additional information and documentation that the division feels is necessary to evaluate the application.

D. Division staff may consult appropriate non-staff experts for information and advice concerning technical aspects of any application.

E. The division director shall review staff ratings and recommendations and make grant program award decisions. The amount of the grant award may be less than the amount requested in the application.

F. The division will enter into grant agreements with grantees. The grant period will ordinarily be for a single fiscal year; provided, however, that the division may, in its discretion, provide a longer or shorter grant period.

[2.110.5.14 NMAC - Rp, 2.110.5.14 NMAC 7/28/2026]

2.110.5.15 REVERSIONS AND SUPPLEMENTAL FUNDING:

A. Reversions. If, at the end of the grant period set forth in the grant agreement, an unexpended balance of funds remains, the unexpended balance shall revert to the juvenile adjudication fund.

B. Reversions/ supplemental funding. When funds are reverted as provided in Subsection A of this section, or additional funds are made available due to any other cause, the division may take one or more of the following actions:

(1) set aside the funds for contingencies or emergencies;

(2) make the funds available for grants during the next regular application cycle; or

(3) make the funds available through a special application cycle.

[2.110.5.15 NMAC - Rp, 2.110.5.15 NMAC 7/28/2026]

2.110.5.16 REPORTING REQUIREMENTS:

A. Grantees shall submit a quarterly report to the division on October 15, January 15, April 15, and July 10.

B. The division shall prescribe the format and content of quarterly reports, which shall include, but not be limited to, the following:

(1) fiscal reporting on the expenditure of grant funds and match expenditures; and

(2) program reporting, including, but not limited to, the number of clients served; the gender, age, grade, and ethnicity of clients; the type of offense; the number of components provided to clients; and the number of open, pending and closed cases.

[2.110.5.16 NMAC - Rp, 2.110.5.16 NMAC 7/28/2026]

2.110.5.17 EVALUATION:

A. The division may conduct periodic evaluations of grantees and alternative adjudication programs receiving grant funds to determine compliance with applicable law and regulations, the grant agreement, and the program guidelines.

B. Grantees must cooperate fully with such evaluations, including, but not limited to, by making all financial and program records available for inspection and making personnel available for interview.

[2.110.5.17 NMAC - Rp, 2.110.5.17 NMAC 7/28/2026]

2.110.5.18 SANCTIONS:

A. The division may impose sanctions on a grantee based upon one or more of the following grounds:

(1) improper or inadequate performance, including, but not limited to, the failure to implement grant activities in a timely fashion or in accordance with the grant agreement or conduct the alternative adjudication program in accordance with the program guidelines;

(2) fraud, abuse, misconduct, or misuse of grant funds;

(3) failure to correct monitoring or audit findings;

(4) failure to document and report to the division all grant expenditures;

(5) lack of continuing capacity to successfully administer the alternative adjudication program;

(6) implementation of an alternative adjudication program or budget change without prior division approval;

(7) non-compliance with one or more condition(s) of the grant agreement;

(8) criminal conduct involving the alternative adjudication program; or

B. violation of applicable laws or regulations. The sanctions set forth in this subsection are the types of permissible sanctions that may be imposed upon a grantee. More than one sanction may be imposed for the same ground(s) giving rise to the sanction. The sanction or sanctions imposed will be based upon the underlying ground(s) for the sanction(s), past performance of and sanctions imposed upon the grantee, and the importance of the state interest implicated by the ground(s) for the sanction(s).

(1) Disallowance of expenditures. A grantee may not be reimbursed for expenditures.

(2) Withholding reimbursement. The division director may temporarily withhold payment, or disallow further drawdowns.

(3) Suspension. The division director

may suspend the grant agreement. The grantee shall not be reimbursed for expenditures incurred during the period of the suspension unless the division director subsequently authorizes such reimbursement in writing.

(4) Repayment to the juvenile adjudication fund of amounts previously paid by the division to the grantee.

(5) Termination of the grant agreement.

(6) Disqualification from receiving future grants.

C. Before imposing any sanctions on a grantee, the division director shall give the grantee written notice of the proposed sanction and the grounds for the proposed sanction. The grantee shall be provided a reasonable opportunity to present facts and arguments challenging the appropriateness of the proposed sanction and the grounds upon which it is based. The division director shall issue a final decision after duly considering the grantee's facts and arguments or after the time for presenting them has passed. [2.110.5.18 NMAC - Rp, 2.110.5.18 NMAC 7/28/2026]

HISTORY OF 2.110.5 NMAC: [RESERVED]

History of Repealed Material:

2.110.5 NMAC - Juvenile Adjudication Fund Grants To Local Governments filed 6/16/2011, Repealed, effective 7/28/2026.

Other History: Juvenile Adjudication Fund Grants To Local Governments filed 6/16/2011, Replaced by Juvenile Adjudication Fund Grants To Local Governments effective 7/28/2026.

FINANCE AND ADMINISTRATION, DEPARTMENT OF

TITLE 2 PUBLIC FINANCE CHAPTER 110 LOCAL

GOVERNMENT GRANTS PART 7 PUBLIC SAFETY WORKFORCE CAPACITY BUILDING PROGRAM

2.110.7.1 ISSUING

AGENCY: Department of finance and administration.

[2.110.7.1 NMAC - N, 7/28/2026]

2.110.7.2 SCOPE: These rules govern grant funding available to the state and relevant political subdivisions aimed at expanding the workforce and capacity of public safety roles, including law enforcement, firefighting, detention, corrections, and licensed attorneys in district attorney and public defender offices. They also cover equipment purchases that support these program goals. The scope encompasses all entities eligible for such grants to enhance public safety staffing and resources.

[2.110.7.2 NMAC - N, 7/28/2026]

2.110.7.3 STATUTORY

AUTHORITY: The department adopts these rules pursuant to statutory provisions establishing the public safety workforce building program and creating the public safety workforce capacity building fund, Sections 9-6-22 and 9-6-23, NMSA 1978.

[2.110.7.3 NMAC - N, 7/28/2026]

2.110.7.4 DURATION:

Permanent.

[2.110.7.4 NMAC - N, 7/28/2026]

2.110.7.5 EFFECTIVE

DATE: July 28, 2026, unless a later date is cited at the end of a section.

[2.110.7.5 NMAC - N, 7/28/2026]

2.110.7.6 OBJECTIVE:

This rule establishes standards and procedures for administering the public safety workforce building program, including competitive review of applications, equitable allocation of awards, eligible and ineligible uses, expenditure timelines, reporting, evaluation criteria, and program reporting. It ensures funds are used efficiently

to increase statewide capacity for the employment of public safety professionals and to support related equipment needs. The program provides grant funding for initiatives that increase the state's available workforce and capacity to employ public safety professionals and to purchase equipment in furtherance of the program's objectives.
[2.110.7.6 NMAC - N, 7/28/2026]

2.110.7.7 DEFINITIONS:

As used in this rule:

A. "Applicant" means an eligible entity applying for a grant award under the program. An application shall be on forms and in a manner prescribed by the department and include:

- (1) a description of the proposed initiative;
- (2) a description demonstrating the initiative will meet a program objective; and
- (3) details and specifics as to the reasonably expected costs and completion date.

B. "Department" means the department of finance and administration.

C. "Eligible entity" means the state, a political subdivision of the state, or tribal government.

D. "Fund" means the public safety workforce capacity building fund.

E. "Grantee" means an eligible entity that has accepted an award under the program. If a grantee accepts an offer, the initiative may commence, and the grantee shall report to the department on the initiative's progress on a periodic basis, as determined by the department, including an accounting of expenditures.

F. "Initiative" means a project or activity proposed by an applicant to increase the workforce or employment capacity for public safety professionals, or to purchase equipment in furtherance of the program's objectives, with stated costs and a completion date. Funded initiatives may include recruitment, collaboration between overlapping

jurisdictions, and increasing investigative, response, or case management capacity, including recruitment or retention of personnel or training existing personnel to serve in new public safety roles.

G. "Program" means the public safety workforce building program. The public safety workforce building program is established within the department to provide grant funding for initiatives that increase workforce and capacity for the employment of public safety professionals and for equipment in furtherance of program objectives.
[2.110.7.7 NMAC - N, 7/28/2026]

2.110.7.8 ADMINISTRATION; APPLICATION; REVIEW; AWARD:

A. Application form and content. To receive a grant, an applicant shall apply to the department on a form and in a manner prescribed by the department. An application shall include a description of the proposed initiative, a description demonstrating that the initiative will meet a program objective, and details regarding the reasonable expected costs and completion date.

B. Competitive review and approval. The department shall determine, through a competitive review process pursuant to rules promulgated by the department, which proposed initiatives are approved to receive a grant. The department may adjust the amount requested for a proposed initiative based on its determination of the initiative's reasonable costs.

C. Offer and acceptance. Once an initiative is approved, the department shall promptly offer each applicant a grant, as appropriate. If a grantee accepts an offer, the initiative may commence.

D. Reporting during implementation. A grantee shall report to the department on the initiative's progress on a periodic basis, as determined by the department, including an accounting of expenditures for the initiative.

E. Expenditure deadline and return of unexpended balances. Funds allocated to an approved initiative shall be spent within two years of receiving the grant. Any unexpended balance remaining at the end of the initiative period shall be immediately returned to the department, but no later than thirty days after the end of the initiative period, which shall deposit returned amounts in the public safety workforce capacity building fund.

F. Allocation across counties; equitable distribution. The department may award a grant to an eligible entity and shall allocate grant funds equitably. If applicants whose primary jurisdictions are in different counties apply jointly for a grant and the grant is awarded, each applicant shall receive an award amount based on the applicant's county. The department shall aim to award grants based on an applicant's county as follows:

(1) up to twenty-five percent of the money in the fund at the time of the award, less administrative costs, for grants to applicants whose primary jurisdiction is within a county with a population of at least five hundred thousand;

(2) up to thirty-five percent of the money in the fund at the time of the award, less administrative costs, for grants to applicants whose primary jurisdiction is within a county with a population of at least one hundred thousand but less than five hundred thousand; and

(3) any amount of available money remaining in the fund for grants to applicants whose primary jurisdiction is within a county with a population of less than one hundred thousand, in each case according to the most recent federal decennial census.
[2.110.7.8 NMAC - N, 7/28/2026]

2.110.7.9 AWARD CRITERIA:

A. Department criteria. The department shall develop criteria to guide decisions on awarding a grant.

B. Considerations. In making award determinations,

the department shall take into consideration:

- (1) an applicant's public safety professional vacancy rate;
- (2) the cost of living and comparable market compensation for the applicant's locality; and
- (3) the crime rates in the applicant's locality.

C. Priorities.

The department shall prioritize consideration of applicant proposals for initiatives that:

- (1) target recruitment of individuals who are experienced public safety professionals and are not currently employed by a governmental entity within the state;
- (2) include collaborations between overlapping jurisdictions; and
- (3) increase investigative, response, or case management capacity, including recruiting or retaining personnel or training existing personnel to serve in new public safety roles

D. Capacity and competence. The department's criteria shall evaluate an applicant's ability and competence to efficiently and adequately complete a proposed initiative.
[2.110.7.9 NMAC - N, 7/28/2026]

2.110.7.10 ELIGIBLE AND INELIGIBLE USES:

A. Eligible uses. A grantee may use a grant to:

- (1) provide a recruitment differential disbursement, including a disbursement for relocation expenses for a newly hired public safety professional, provided that the professional remains employed with the grantee for the period specified in department rule;
- (2) provide a retention differential disbursement to a public safety professional who is already employed by the grantee and is not an elected public official, provided that the professional remains employed by the grantee for the period specified in department rule;

(3) implement professional development initiatives to recruit, train, or retain public safety professionals;

(4) implement campaigns to recruit in-state or out-of-state public-safety professionals; or

(5) pay for equipment or equipment upgrades tied to professional development initiatives to recruit public safety professionals.

B. Ineligible uses and limitations. A grantee shall not use a grant:

(1) for a recurring initiative, unless the grantee first provides a plan to replace nonrecurring funds with recurring funds to support the initiative;

(2) to create a public safety professional position or to fund the base salary of an existing public safety position; or

(3) to replace recurring funding.
[2.110.7.10 NMAC - N, 7/28/2026]

2.110.7.11 REPORTING; PROGRAM ACCOUNTABILITY:

A. Grantee expenditure reporting. Grantees must submit programmatic and financial reports to DFA in accordance with grant agreement terms and reporting schedules established by DFA. All reports must be accurate, complete, supported by documentation, certified by an authorized official, and submitted on or before the required deadline. Any unexpended balance remaining after completion of the initiative shall revert to the fund within thirty days of completion.

B. Department annual report. By November 1 of each fiscal year, the department shall provide an annual report on the program to the legislative finance committee, including:

- (1) information about each grant applicant, the grant amount requested, and the title and description of the applicant's proposed initiative;
- (2) grantee information, including the grantee's

agency, the grant amount awarded, and the title and description of the grantee's initiative;

(3) data collected and evaluations by the department regarding the efficacy of the initiatives of grant award recipients; and

(4) the status of ongoing workload studies and the results of completed workload studies.
[2.110.7.11 NMAC - N, 7/28/2026]

**History of 2.110.7 NMAC:
[RESERVED]**

**FINANCE AND
ADMINISTRATION,
DEPARTMENT OF**

**TITLE 3 TAXATION
CHAPTER 6 PROPERTY**

TAXES

**PART 50 PROCEDURES
FOR COUNTY TREASURERS**

3.6.50.1 ISSUING

AGENCY: Department of finance and administration, local government division.

[3.6.50.1 NMAC - Rp, 3.6.50.1 NMAC 7/28/2026]

3.6.50.2 SCOPE: These rules and regulations shall apply to procedures to be followed by all county treasurers in the state of New Mexico.

[3.6.50.2 NMAC - Rp, 3.6.50.2 NMAC 7/28/2026]

3.6.50.3 STATUTORY

AUTHORITY: The local government division of the department of finance and administration promulgates the procedures for county treasurers, pursuant to the authority of Sections 6-6-2, 6-6-3, 7-35-6, 7-35-7 through 7-37-8, 7-38-32 through 7-38-38.1, 7-38-41 through 7-38-43, 7-38-63, 7-38-65 through 7-38-69, 7-38-71, 7-38-73, 7-38-76 through 7-38-77.1 and 7-38-80 NMSA 1978.

[3.6.50.3 NMAC - Rp, 3.6.50.3 NMAC 7/28/2026]

3.6.50.4 DURATION:

Permanent.

[3.6.50.4 NMAC - Rp, 3.6.50.4 NMAC 7/28/2026]

3.6.50.5 EFFECTIVE

DATE: July 28, 2026, unless a different date is cited at the end of a section or paragraph.

[3.6.50.5 NMAC - Rp, 3.6.50.5 NMAC 7/28/2026]

3.6.50.6 OBJECTIVE:

The objective of Title 3, Chapter 6, Part 50 NMAC is to establish uniform procedures by which county treasurers implement portions of the Property Tax Code and prepare financial reports. The rule also provides procedures for suspension of a county treasurer by the department of finance and administration.

[3.6.50.6 NMAC - Rp, 3.6.50.6 NMAC 7/28/2026]

3.6.50.7 DEFINITIONS:

A. "Assessor" means a county assessor as defined by Sections 4-39-1 through 4-39-7 NMSA 1978, as amended.

B. "Board of finance" means a county board of finance.

C. "Certify" or **"Certification"** involves verifying and affirming property tax data accuracy and completeness. It includes reviewing, validating, and attesting assessed values and tax calculations to ensure compliance with laws before finalizing and notifying taxpayers or government entities.

D. "Delinquent" refers to any payment of taxes that is not paid within 30 days of the date on which they were due.

E. "Department" means the department of finance and administration.

F. "Error" refers to an incorrect or incomplete data input or numerical calculation confirmed by the local taxing authority, county assessor, public education department, and/or higher education department that does not include the method used to determine the valuation, or the

difference of opinion about the value, of the property subject to taxation.

G. "Forfeiture"

funds means cash or property that is subject to forfeiture and is under the Controlled Substances Act, Sections 30-31-34 through Section 30-31-35 NMSA 1978.

H. "Local

government" means a local public body as defined in Section 6-6-1 NMSA 1978.

I. "Local government division" means the local government division of the department of finance and administration.

J. "Property tax division" means the property tax division of the taxation and revenue department.

K. "Refund" is that portion of property taxes in controversy found to be in excess of the amount legally due.

L. "Secretary" means the cabinet secretary of the department of finance and administration.

M. "State delinquency list" means the tax delinquency list collected by the property tax division as defined in Section 7-38-62 NMSA 1978.

N. "Taxes on omitted property" refers to taxes on property subject to property taxation but was omitted from property tax schedules and for which taxes have not been paid but would be due, except for the omission.

O. "Treasurer" means a county treasurer as defined by Sections 4-43-1 through 4-43-4 NMSA 1978, as amended.

[3.6.50.7 NMAC - Rp, 3.6.50.7 NMAC 7/28/2026]

3.6.50.8 TREASURER'S DUTIES:

A. Section 4-43-2 NMSA 1978 requires the treasurer to keep account of all moneys received and disbursed in the county; keep regular accounts of all warrants drawn on the treasurer and paid; and keep the books, papers and moneys pertaining to his office ready for inspection by the county commissioners at all times.

All moneys under the treasurer's control include, but are not limited to: property taxes; property tax penalties and interest; state shared taxes; gross receipts taxes; lodgers' taxes; franchise taxes; licenses and permits; charges for services; fines and forfeits, including forfeiture funds; miscellaneous revenues; other revenues including contributions, donations, investment income, refunds, rents, royalties, insurance recoveries and inter-governmental grants.

B. Section 6-10-8 NMSA 1978 states the treasurer of each county in the state shall have supervision of the deposit and safekeeping of public money in the county.

C. The treasurer determines how to deposit and invest county funds. That decision must then be approved by the board of county commissioners, sitting as the board of finance.

D. The board of finance must adopt an investment policy and permit the treasurer to make investment decisions that conform to the policy.

[3.6.50.8 NMAC - Rp, 3.6.50.8 NMAC 7/28/2026]

3.6.50.9 FINANCIAL REPORTS:

A. Subsection F of Section 6-6-2 NMSA 1978 requires periodic financial reports of all local public bodies. Section 6-6-3 NMSA 1978 requires that every local public body shall make all reports as may be required by the local government division.

B. Every county shall file a financial report on a quarterly basis with the local government division. The first quarter is from July 1st to September 30th; the second quarter is from October 1st to December 31st; the third quarter is from January 1st to March 31st and the fourth quarter is from April 1st to June 30th. The reports are due at the local government division no later than thirty days following the end of the quarter.

C. The local government division may grant a county's written request, if warranted, an extension for filing the quarterly financial report.

D. Monthly financial reports shall be submitted to the county commission and may be requested by the local government division.

E. Quarterly financial reports shall be submitted on the prescribed local government division format, unless the local government division approves submission of similar data hand written, typed or using the county's current software program.

F. The treasurer's office should work cooperatively with the county managers office or county finance department to ensure that reports are submitted accurately and timely. The reports must include the signatures and titles of the individuals who prepared the reports.

G. Instructions and sample reporting formats of the quarterly financial reports are available in the local government divisions budgeting and financial accounting manual for local governments.

[3.6.50.9 NMAC - Rp, 3.6.50.9 NMAC 7/28/2026]

3.6.50.10 SUSPENSION OF COUNTY TREASURERS' FUNCTIONS:

A. The secretary shall follow the procedures set forth in Section 7-35-7 NMSA 1978, as amended, for suspension of treasurers' functions and termination of a suspension order.

B. The costs counties are required to reimburse the department, when the department performs the functions of a suspended treasurer, shall include the salaries and expenses of department employees or contractors who carry out the functions of the office of a suspended treasurer.

C. The department will take all action necessary to assure reimbursement of costs by the county. [3.6.50.10 NMAC - Rp, 3.6.50.10 NMAC 7/28/2026]

3.6.50.11 PROPERTY TAXES:

A. On or before June 30th of each year, the property tax division shall provide the local government division with a digital copy of the compilation of all net taxable values certified by county assessors. On or before August 1st each year, the property tax division shall provide the local government division with a digital copy of the amended compilation of net taxable values, which includes the final valuations resulting from completed protests and information on pending protests. Upon receipt, but no later than August 10th each year, the local government division shall send each county a copy of the proposed tax rates. Upon receipt, county assessors shall:

(1) work with county boards and local taxing entities to verify these proposed rates;

(2) apply the yield control formula and other tax rate limitations in statute that apply to the proposed tax rates before certifying these rates;

(3) certify the accuracy of the proposed tax rates to the local government division by August 15th of each year;

(4) Use the next taxable values from the immediately preceding tax year for the purpose of estimating available revenue from the current tax year when the compilation of net taxable values is incomplete or indefinite due to pending protests.

B. Tax rates for school districts and institutions of higher education are set by the state public education department higher education department, respectively. The state public education department and the higher education department shall certify rates of school districts and institutions of higher education to the local government division as soon as practicable, but no later than August 15th of each year.

C. On or before August 21st of each year, or the next business day if August 21st falls on a weekend or holiday, the local

government division will compile data of all net taxable values certified to the property tax division by county assessors. It will then multiply this data by the tax rates certified by county assessors, the public education department, and the higher education department, and send the results to the local government division for each county, municipality, special district, school district, institution of higher education, or state debt service within each county. Afterward, the local government division will send draft written orders to county assessors, setting property tax rates for review and concurrence.

(1) The local government division will review property tax revenue listed in each governmental unit's approved budget and compare the projected revenue from the proposed rate-setting order and certified net taxable values to ensure compliance with the Bateman Act (Sections 6-6-11 through 6-6-18 NMSA 1978).

(2) County assessors shall review and identify any errors or requested corrections of draft rate-setting orders to the local government division on or before August 28th of each year.

(3) County assessors shall report any errors found in net taxable values for the county to the property tax division.

(4) County assessors shall report any errors found in tax rates to the appropriate municipality, special district, the public education department, the higher education department, or the state debt service.

(5) County assessors shall confirm with the property tax division, appropriate municipality, special district, public education department, higher education department, or state debt service any identified errors before submittal to the local government division.

D. On or before September 1st of each year, the secretary shall issue written orders to each county setting property tax rates for the governmental units sharing

in the tax in accordance with the Property Tax Code and the budget of each as approved by the local government division.

E. The board of county commissioners shall issue by written order imposing the certified tax rates on the net taxable value of property allocated to the appropriate governmental units within five business days of the date of the tax rate setting order from the secretary.

F. Any errors identified in rate-setting orders issued by the secretary on September 1st of each year shall be handled in accordance with Section 20 below. [3.6.50.11 NMAC - Rp, 3.6.50.11 NMAC 7/28/2026]

3.6.50.12 COUNTY PROPERTY VALUATION FUND:

A. The county property valuation fund is created in Section 7-38-38.1 NMSA 1978 and prescribes the method and manner for the collection and distribution of the administrative charge on revenue recipients to offset collection costs.

B. All administrative charges shall be collected by the treasurer and distributed to the county property valuation fund.

C. The assessor's budget for purposes of calculating the forty percent of the amount shall include all appropriations made to the assessor's budget including the county property valuation fund.

D. The treasurer is responsible for collecting the administrative charges and distributing these collections to the county property valuation fund in accordance with statute, relevant county ordinances and stipulated orders.

[3.6.50.12 NMAC - Rp, 3.6.50.12 NMAC 7/28/2026]

3.6.50.13 PROTESTED PROPERTY TAXES AND PROPERTY TAX SUSPENSE FUND:

A. The treasurer shall deposit in the property tax suspense fund an amount equal to the portion of any property taxes paid to the

treasurer that is not admitted to be due and is the subject of a claim for refund.

B. The property tax suspense fund shall be invested as permitted by Subsection B of Section 7-38-41 NMSA 1978, as amended.

C. All refunds to property owners pursuant to Section 7-38-41 NMSA 1978 shall be made fifteen days after the treasurer receives a copy of the final order relating to the protest.

D. If final determination in a claim for refund is less than originally claimed, or if the claim is denied, the difference between the amount placed in the property tax suspense fund and the amount refunded to the taxpayer shall be disbursed in the monthly distribution process as stated in Subsection F of 3.6.50.15 NMAC.

Upon the final determination of a claim, the treasurer is to send a copy of the final order to the assessor and the director of the property tax division who shall change their respective valuation records to clearly reflect the final determination.

E. The treasurer is authorized to transfer any surplus interest accrued in the property tax suspense fund to the county general fund, when a case is closed or at the close of the fiscal year.

[3.6.50.13 NMAC - Rp, 3.6.50.13 NMAC 7/28/2026]

3.6.50.14 COLLECTION AND RECEIPT OF PROPERTY TAXES:

A. All property tax payments shall be marked paid and recorded within 48 hours and must be deposited within 72 hours.

B. Property tax receipts or copies of the tax bills marked paid are not required to be mailed to property taxpayers if payment of property taxes, penalties and interest are received by mail. These amounts are sufficiently "received" if indication of payment is made on the tax schedule by the treasurer. However, the treasurer is not prohibited from mailing receipts or copies of the tax bills marked paid.

C. Except for accounts on the state delinquency list, any partial payments received by the treasurer for delinquent property taxes, penalties and interest shall be receipted and accounted for in accordance with Section 7-38-42 NMSA 1978.

D. If the treasurer's office is unable to comply with this policy, the treasurer must immediately notify the chairman of the board of finance and the county manager in writing. The notification must include a description of the problem, identification of the cause of the problem, an estimate of the anticipated duration of non-compliance and the proposed remedial action. The notification does not relieve the receipting authority of its statutory duty to collect, record and account for property taxes.

E. Receipting and depositing of revenues other than property tax payments shall be implemented according to policies adopted by the county board of finance.

[3.6.50.14 NMAC - Rp, 3.6.50.14 NMAC 7/28/2026]

3.6.50.15 DISTRIBUTION OF PROPERTY TAXES, PENALTIES AND INTEREST:

A. The treasurer shall distribute the receipts from property tax collections to each governmental unit. All interest and penalties collected shall be deposited in the county general fund without regard to the tax year for which it was paid, other than as an agent of the taxation and revenue department under Section 7-38-62 NMSA 1978.

B. At the time of distributing receipts from property taxes collected as agent for the taxation and revenue department under Section 7-38-62 NMSA 1978, all interest and penalties collected for tax years before 1990 will be placed in the county general fund and all interest and penalties collected for 1990 and subsequent tax years shall be remitted to the taxation and revenue department.

C. The treasurer shall distribute taxes collected for the November 10th installment no earlier than December 15th or later than the 5th working day after December 15th.

D. The treasurer shall distribute taxes collected from the April 10th installment no earlier than May 15th or later than the 5th working day after May 15th.

E. For installment agreements pursuant to Section 7-38-38.2 NMSA 1978, no distribution shall be made earlier than the 15th of the month following the month of collection or later than the 5th working day after the 15th of month following the month of collection.

F. For delinquent taxes, normal distributions shall not be made earlier than the 15th of the month following the month of collection or later than the 5th working day after the 15th of month following the month of collection.

G. Once a county has placed a property on the state delinquency list, the property tax division shall have responsibility and exclusive authority to collect delinquent taxes, interest and penalties for all tax years. However, the property tax division may authorize treasurers to act as its agents in accepting payments of taxes, penalties, interests or costs due. [3.6.50.15 NMAC - Rp, 3.6.50.15 NMAC 7/28/2026]

3.6.50.16 NOTIFICATION TO PROPERTY OWNER OF DELINQUENT PROPERTY TAXES:

A. In accordance with Section 7-38-51 NMSA 1978, any property tax delinquent more than thirty days as of June 30th of each year, the treasurer shall mail a notice of delinquency to the assessed owner and any person other than the owner to whom the tax bill on the property was sent. This applies to every delinquency and not just those on the state delinquency list.

B. If payment has not been received within 90 days following the written notice of delinquency, the treasurer shall pursue further collection efforts.

C. If the collection rate for a tax year for any jurisdiction in the county falls twenty percent below anticipated collections as of December 31st of that year or June 30th of the following year, the treasurer must immediately notify the board of finance in writing. [3.6.50.16 NMAC - Rp, 3.6.50.16 NMAC 7/28/2026]

3.6.50.17 SALE OF REAL PROPERTY FOR DELINQUENT TAXES: Section 7-38-66 NMSA 1978 states the taxpayer must show proof of the following to prevent or invalidate a sale:

A. All delinquent taxes, penalties, interest and costs had been paid prior to the date of sale shall prevent or invalidate the sale. The treasurer's office must be in possession of the funds prior to the time of the sale or the payment must be postmarked prior to the date of the sale.

B. The taxpayer has entered into a written installment agreement to pay all delinquent taxes, penalties, interest and costs prior to the date of sale as provided in Section 7-38-68 NMSA 1978 and that payments are being made in accordance with the terms of such agreement. The installment agreement must be signed by both parties at least the day prior to the date of sale. [3.6.50.17 NMAC - Rp, 3.6.50.17 NMAC 7/28/2026]

3.6.50.18 INSTALLMENT AGREEMENTS OR SALE OF PROPERTY:

A. When the property tax division collects delinquent taxes in total from the taxpayer under installment agreements or sale of property, the money, excluding interest, penalties and costs, will be remitted to the treasurer. When the money is received by the treasurer, the tax bill will be validated as paid. The distribution will be accomplished by the treasurer as the normal distribution of delinquent taxes.

B. Upon receipt of the money from the property tax division, the treasurer shall:

(1) validate the tax bill as paid in the manner prescribed in Section 7-38-63 NMSA 1978;

(2) make a notation of the payment of delinquent property taxes, penalties and interest on the property tax schedule; and

(3) distribute the amount of property taxes to the appropriate governmental units at the time of normal monthly distributions. [3.6.50.18 NMAC - Rp, 3.6.50.18 NMAC 7/28/2026]

3.6.50.19 TAXES ON OMITTED PROPERTY: When taxes on omitted property are placed on tax schedules, tax bills mailed and money is received for payment of these taxes, the receipting and accounting of the money is the same as for other property taxes. For distribution purposes, all the monies received for taxes on omitted property for years prior to current tax year will be considered to be receipts of delinquent taxes. [3.6.50.19 NMAC - Rp, 3.6.50.19 NMAC 7/28/2026]

3.6.50.20 CHANGES IN THE PROPERTY TAX SCHEDULE:

A. The local government division may order the treasurer to make changes in the property tax schedule in connection with any property listed on the schedule if the local government division determines that an error was made in the certification of tax rates. To request changes in property tax schedules, counties must follow the following procedures:

(1) Counties must have complied with Section 7-38-34 NMSA 1978 and imposed tax rates for all governmental units within the county.

(2) County assessors must have complied with Section 7-38-35 NMSA 1978 and generated property tax schedules for the county.

(3) County assessors shall coordinate with governmental units in the county

and submit to the local government division a letter identifying all errors, with supporting documentation, requesting corrections to property tax rates in property tax schedules on or before September 12th each year.

(4) The local government division will review requests for corrections, supporting documentation, and the proposed correction's effect on the governmental units' compliance with the Bateman Act, and issue county draft correction orders on or before September 15th each year.

(5) County assessors shall confirm the accuracy of correction orders to the local government division on or before September 17th each year.

B. Upon a determination of an error by the local government division and confirmation by the county assessor, the local government division will issue a written order identifying any errors in the property tax rate-setting order and requiring the corresponding county treasurer to correct the errors in the property tax schedule.
[3.6.50.20 NMAC - Rp, 3.6.50.20 NMAC 7/28/2026]

3.6.50.21 BANKHEAD-JONES FARM TENANT ACT:
Pursuant to the national grasslands and land utilization project receipts for the Bankhead-Jones Farm Tenant Act, the county shall deposit these funds directly into the county road fund for the purpose of maintaining county roads or school bus routes, or both.
[3.6.50.21 NMAC - Rp, 3.6.50.21 NMAC 7/28/2026]

HISTORY OF 3.6.50 NMAC:
Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives: DFA 73-1, (Directive LGD 61-32) Distribution of Bank Head Jones Farm Tenant Act (Sub-Marginal Land) and Federal Wild Life and Fishery Act Revenue, 3/30/1973. DFA 74-9, Regulations Re: The Collection and Distribution of

Property Taxes by County Treasurers, 12/31/1974.

History of Repealed Material: 3 NMAC 6.50 - Procedures For County Treasurers filed 6/24/1998, Repealed effective 7.28.2026.

Other: 3 NMAC 6.50 - Procedures For County Treasurers filed 6/24/1998, Replaced by 3.6.50 NMAC - Procedures For County Treasurers effective 7.28.2026.

**HEALTH,
DEPARTMENT OF**

The New Mexico Department of Health approved the repeal of its rule 7.4.3 NMAC - Control of Disease and Conditions of Public Health Significance (filed 4/14/2009) and replaced it with 7.4.3 NMAC - New Mexico Control of Disease and Conditions of Public Health Significance adopted on 7/9/2026, and effective 7/28/2026.

**HEALTH,
DEPARTMENT OF**

**TITLE 7 HEALTH
CHAPTER 4 DISEASE
CONTROL (EPIDEMIOLOGY)
PART 3 CONTROL OF
DISEASE AND CONDITIONS
OF PUBLIC HEALTH
SIGNIFICANCE**

7.4.3.1 ISSUING
AGENCY: New Mexico Department of Health.
[7.4.3.1 NMAC - Rp, 7.4.3.1 NMAC, 7/28/2026]

7.4.3.2 SCOPE: All physicians, laboratories, health care professionals, and other persons having knowledge of diseases or conditions covered by these regulations.
[7.4.3.2 NMAC - Rp, 7.4.3.2 NMAC, 7/28/2026]

**7.4.3.3 STATUTORY
AUTHORITY:** These provisions

set forth herein are promulgated by the secretary of the department of health by authority of Subsection E of Section 9-7-6, NMSA 1978 and in conformity with the Public Health Act, Subsections B through G, Q through S, Y and Z of Section 24-1-3, NMSA 1978, Sections 24-1-7, 24-1-15, 24-1-15.2, 24-1-15.3, and 24-1-36, NMSA 1978 and pursuant to the Hospital-Acquired Infection Act, Sections 24-29-1 through 24-29-6, NMSA 1978. Administration and enforcement of these rules are the responsibility of the epidemiology and response division of the department of health.

[7.4.3.3 NMAC - Rp, 7.4.3.3 NMAC, A, 7/28/2026]

7.4.3.4 DURATION:
Permanent.
[7.4.3.4 NMAC - Rp, 7.4.3.4 NMAC, 7/28/2026]

**7.4.3.5 EFFECTIVE
DATE:** July 28 2026, unless a later date is cited at the end of a section.
[7.4.3.5 NMAC - Rp, 7.4.3.5 NMAC, 7/28/2026]

7.4.3.6 OBJECTIVE: The essential objective of these rules is the control of disease and conditions of public health significance through the prompt identification of disease, notification of responsible health authorities, and institution of preventive and control measures.
[7.4.3.6 NMAC - Rp, 7.4.3.6 NMAC, 7/28/2026]

7.4.3.7 DEFINITIONS:
As used in these provisions, the following terms shall have the meaning given to them, except where the context clearly requires otherwise.

A. Definitions
beginning with "A": "Acute care hospital" means a hospital providing emergency services, in-patient medical and nursing care for acute illness, injury, surgery or obstetrics; ancillary services such as pharmacy, clinical laboratory, radiology, and dietary are required for acute care hospitals.

B. Definitions
beginning with “B”: [RESERVED]

C. Definitions
beginning with “C”:

(1) “Cancer” means all malignant neoplasms and in situ neoplasms and all intracranial neoplasms, regardless of the tissue of origin.

(2) “Carrier” means an infected person or animal that harbors a specific infectious agent without clinical symptoms and that serves as a potential source of infection for humans.

(3) “Condition of public health significance” means an infection, a disease, a syndrome, a symptom, an injury or other threat that is identifiable on an individual or community level and can reasonably be expected to lead to adverse health effects in the community.

D. Definitions
beginning with “D”:

(1) “Department” means the department of health.

(2) “Designee” means an agency or institution designated by the department of health to receive reports of notifiable conditions on its behalf for the purpose of public health surveillance.

(3) “Disease” means a disorder of structure or function in a human or animal, especially one that has a distinctive group of symptoms, signs, or anatomical changes and often a known cause, including those caused by infectious agents or their toxic products which may be transmitted to a susceptible host.

(4) “Division” means the epidemiology and response division of the department of health, P.O. Box 26110, Santa Fe, NM 87502-6110.

E. Definitions
beginning with “E”:

(1) “E-code” means code for external causes of injury, poisoning, or adverse effect. (Usage note: If a patient has an injury diagnosis in a range of ICD-9-CM 800-999, an e-code is required.)

(2) “Electronic laboratory results (ELR)” means digital reports transmitted from laboratories or other reporting entities to public health departments, the federal centers for disease control and prevention (CDC), health systems and other authorized organizations.

F. Definitions
beginning with “F”: [RESERVED]

G. Definitions
beginning with “G”: [RESERVED]

H. Definitions
beginning with “H”: “Health care professional” means any licensed doctor of medicine or osteopathy, nurse, nurse practitioner, physician’s assistant, midwife, veterinarian or other licensed health care provider.

I. Definitions
beginning with “I”:

(1) “ICD-10” means the international classification of disease, 10th revision, clinical modification for clinical diagnosis coding

(2) “Involuntary detention” means that pursuant to Section 24-1-15, NMSA 1978 of the Public Health Act, the department has petitioned the court for an order to isolate or quarantine a person after obtaining knowledge that the person is infected with (or reasonably believes that a person is infected with) or exposed to a threatening communicable disease and the person has refused voluntary treatment, testing, evaluation, detention or observation.

(3) “Isolate” means a single species of microorganism that has been separated from a mixed sample and grown in a pure culture.

(4) “Isolation” means the separation of sick people with a contagious disease from people who are not sick for such period to prevent the direct or indirect transmission of the contagious disease. Periods of isolation will be defined by the department depending on the characteristics of the contagious disease of concern.

J. Definitions
beginning with “J”: [RESERVED]

K. Definitions
beginning with “K”: [RESERVED]

L. Definitions
beginning with “L”: “Laboratory” means the scientific laboratory division of the department of health or any other laboratory which performs diagnostic tests on specimens obtained from New Mexico sources for diseases and conditions covered by these rules.

M. Definitions
beginning with “M”: [RESERVED]

N. Definitions
beginning with “N”: “Notifiable condition” means a disease or condition of public health significance required by statute or these rules to be reported to the department of health.

O. Definitions
beginning with “O”: “Other person” includes but is not limited to: laboratory staff; an official in charge of any health facility; hospital records or administrative personnel; the principal or person in charge of any private or public school, or child care center; teachers and school nurses; and a householder or any other person, in the absence of a health care professional having direct knowledge of a disease or condition of public health significance.

P. Definitions
beginning with “P”: [RESERVED]

Q. Definitions
beginning with “Q”: “Quarantine” means the restriction and movement of people who were exposed to a contagious disease to observe if they become sick.

R. Definitions
beginning with “R”: “Report” means a notification to the department of health pursuant to these rules.

S. Definitions
beginning with “S”:

(1) “Sentinel surveillance” means surveillance of an infectious or non-infectious disease or condition through a network of selected geographical reporting sites (sentinel sites).

(2) “Specimen” means any material derived from humans or animals for examination for diagnosis,

prevention or treatment of any disease or condition of public health significance.

T. Definitions

beginning with “T”: [RESERVED]

U. Definitions

beginning with “U”: [RESERVED]

V. Definitions

beginning with “V”: [RESERVED]

W. Definitions

beginning with “W”:

[RESERVED]

X. Definitions

beginning with “X”: [RESERVED]

Y. Definitions

beginning with “Y”: [RESERVED]

Z. Definitions

beginning with “Z”: [RESERVED]

[7.4.3.7 NMAC - Rp, 7.4.3.7 NMAC, 7/28/2026]

7.4.3.8 NOTIFIABLE CONDITIONS:

A. Declaration of

notifiable conditions: The division shall periodically issue a list of notifiable conditions according to reporting category designated as 7.4.3.13 NMAC. The list shall be reviewed on a regular basis and revised as necessary. Diseases shown in 7.4.3.13 NMAC are declared notifiable conditions as of the effective date.

B. Official listing:

The list of notifiable conditions shall be issued in a quick reference format and shall show that it is the current official list and shall specify its effective date. The division shall routinely supply the current official list to health care professionals and health facilities and to other persons or entities on request.

C. Reporting of

notifiable conditions: Reporting will be by means of the following:

(1) the

department’s toll-free telephone receiving and recording system telephone number (1-833-796-8773) can be used for reporting any conditions, but this number must be used for emergency reporting of diseases or conditions listed under Subsection C of 7.4.3.13 NMAC;

(2) written

report to the division to P.O. Box

26110, Santa Fe, NM 87502-6110 can be used only for routine reporting under Subsection D of 7.4.3.13 NMAC; or

(3) facsimile

(fax) report to designated fax numbers. The main fax for the department of health (505-827-0013) can be used for routine reporting of diseases or conditions listed under Subsection D of 7.4.3.13 NMAC; or

(4) under

certain circumstances, other electronic transmission, which includes submission of data via computer data transfers. This method would need to be pre-arranged with the department of health and only for routine reporting under Subsection D of 7.4.3.13 NMAC.

D. Reporting

requirements - health care

professionals: Every health care professional treating any person or animal having or suspected of having any notifiable condition shall report the condition within the time and in the manner set out in the list of notifiable conditions.

E. Reporting

requirements - laboratories: All laboratories performing diagnostic tests for any notifiable condition shall report all findings within the time and in the manner set out in the list. Reports shall include the requirements listed under 7.4.3.13 NMAC.

F. Reporting

requirement - other persons:

Any other person, including all persons listed in Subsection L of 7.4.3.7 NMAC of these rules, having knowledge of any person having or suspected of having a notifiable condition, including NM residents and those seeking care in NM, shall immediately report the condition to the division.

G. Conditions of

public health significance:

Any person, including health care professionals and persons listed in Subsection L of 7.4.3.7 NMAC of these rules, having knowledge of a notifiable condition shall immediately report the condition to the department. [7.4.3.8 NMAC - Rp, 7.4.3.8 NMAC, 7/28/2026]

7.4.3.9 CONTROL OF DISEASE AND CONDITIONS OF PUBLIC HEALTH SIGNIFICANCE:

A. Responsibility for

protection of public health: The department of health may take such measures as are deemed necessary and proper for the protection of the public health.

B. Coordination

among agencies: The department of health shall coordinate the efforts of other concerned or interested federal, state and local agencies and shall cooperate with local health care professionals and health care facilities.

C. Imposition of

isolation or quarantine: The department of health may establish or require isolation or quarantine of any animal, person, institution, community or region.

D. Case incidence in

schools or health facilities: Where any case of communicable disease occurs or is likely to occur in a public, private, or parochial school, child care facility, or in a health care facility, the department of health may require the school or facility to:

(1) exclude

infected persons and non-immune persons, whether students, patients, employees or other persons;

(2) close and

discontinue operations if there is likelihood of an epidemic;

(3)

implement infection control measures per department of health recommendations.

E. Refusal of

voluntary treatment, detention or

observation: When a person who is actively infectious with a threatening communicable disease refuses voluntary treatment, detention or observation, the department of health may seek a court order for isolation or quarantine of the person, pursuant to Section 24-1-15, NMSA 1978 of the Public Health Act until the person is no longer a contagious threat to the public or the person voluntarily complies with appropriate treatment and contagion precautions.

F. Sentinel

surveillance: The department may select an infectious or non-infectious disease or condition for sentinel surveillance that are not otherwise subject to general reporting requirements under 7.4.3.13 NMAC, through issuance of a public health order (PHO) pursuant to the department's legal authority under the Public Health Act, Subsection J of Section 24-1-3 NMSA 1978, to bring action in court for the enforcement of health laws and rules and orders issued by the department. The PHO shall specify the manner, format, and scope of sentinel surveillance data collection. Prior to designating a disease or condition for sentinel surveillance, the department shall determine that such surveillance will provide adequate data for epidemiological purposes and that the surveillance is necessary to achieve one or more significant public health objectives, including but not limited to: characterization of a pathogen or condition; monitoring disease burden, trends, or geographic distribution; assessing vaccine effectiveness or changes in vaccine uptake; supporting prevention, preparedness, or response activities for diseases or conditions that may cause morbidity or mortality. Sentinel surveillance complements notifiable case reporting and is designed to quickly detect disease outbreaks and trends in a representative sample of the population. The department shall continuously evaluate sentinel surveillance systems to determine whether modifications are necessary, including changes to: participating geographic areas or sentinel sites; diseases, conditions, or syndromes under surveillance; or surveillance methods or mechanisms. If the department determines that a disease, condition or syndrome no longer meets the criteria for sentinel surveillance, it shall discontinue such surveillance and issue a public health order to that effect. The department shall provide each sentinel surveillance site with written guidance describing the planned surveillance mechanism for the designated disease

or condition, including: reporting timeframes; required data elements; protocols for submission of laboratory test results and the submission of clinical specimens or materials from confirmed or suspected cases to the department's scientific laboratory division.

G. Other public

health orders: The department of health may issue orders for the testing of particular populations or groups of persons or animals to identify carriers of disease, including immigrants, refugees, travelers, students or preschoolers and others who have been at risk of transmission or exposure. The department of health may require that all tests be done under the control of the scientific laboratory division or by a laboratory approved for that purpose.

H. Enforcement of

public health orders: Any order issued by the department of health under the Public Health Act or these rules shall be enforceable as provided by law and violation is punishable in accordance with Section 24-1-21, NMSA 1978.

I. Medical records:

To carry out its duties to investigate and control disease and conditions of public health significance, the department of health or designee shall have access to all medical records of persons with, or suspected of having, notifiable diseases or conditions of public health significance. The department of health is a "public health authority" as defined by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the privacy rule. The department of health is authorized to receive protected health information without patient authorization for purposes of public health surveillance, investigation and interventions and as otherwise required by law. The division or designee may periodically review medical records to ensure the completeness and quality of reporting.

J. Confidentiality

of reports: All notifiable condition reports are confidential. Disclosure to any person of report information, except for disclosure for the purpose

of prevention, treatment or control, is prohibited unless disclosure is required by law.

K. Research use**of notifiable condition data:**

Researchers authorized by the department or its designee who certify to the satisfaction of the department that confidentiality of data will be maintained in accordance with applicable state and federal confidentiality requirements, may conduct studies utilizing notifiable condition data, including studies of the sources and causes of conditions of public health significance, evaluations of the cost, quality, efficacy and appropriateness of screening, diagnostic, therapeutic, rehabilitative and preventive services and programs relating to conditions of public health significance and other clinical or epidemiologic research. [7.4.3.9 NMAC - Rp, 7.4.3.9 NMAC, A, 7/28/2026]

7.4.3.10 EMERGENCY DEPARTMENT REPORTING:**A. Reporting**

requirements: All licensed non-federal, general and specialty healthcare facilities shall report all emergency department visits electronically to the department of health with the following data elements, in the record layout provided by the division. Calendar year data shall be provided on an annual basis by March 28 of the following calendar year.

(1) Age is the patient's age at discharge, reported in whole number years only, from zero to 130;

(2) Sex is the sex of the patient at discharge and coded as a character as follows:

(a)

'M' = male;

(b)

'F' = female;

(c)

'U' = unknown.

(3) Year of patient's birth is the year the patient was born and coded as a character, such as '1995,' or '2001'.

(4) Month of patient's birth is the month the patient was born, coded as a two-digit number corresponding with the associated month (e.g., "01" as January, "12" as December, etc.).

(5) Day of patient's birth is the day the patient was born, coded as a two-digit number corresponding with the associated day of the month (e.g., "01" as the first day of the month, "31" as the 31st day of the month, etc.).

(6) Race of patient is the classification(s) of a patient's stated race to include one or more reported classifications and coded as shown below. For multiple race classifications, do not include spaces or delimiters. For example, if a patient states that he or she is both American Indian and other, the race field would be R1R9:

(a)
'R1' = American Indian or Alaska Native;

(b)
'R2' = Asian (including Asian Indian, Chinese, Filipino, Japanese, Korean and Vietnamese);

(c)
'R3' = black or African American;

(d)
'R4' = Native Hawaiian or Pacific Islander (including Chamorro and Samoan);

(e)
'R5' = White;

(f)
'R6' = declined;

(g)
'R7' = unknown;

(h)
'R9' = other race.

(7) Patient's ethnicity is the classification of a patient's stated ethnicity, coded as follows:

(a)
'E1' = Hispanic or Latino;

(b)
'E2' = not Hispanic or Latino;

(c)
'E6' = declined;

(d)
'E7' = unknown or unable to attain.

(8) Month of patient's visit is the month the patient went to the emergency department, coded as a two-digit number corresponding with the associated month (e.g., "01" as January, "12" as December, etc.).

(9) Day of patient's visit is the day that the patient first went to the emergency department, coded as a two-digit number corresponding with the associated day of the month (e.g., "01" as the first day of the month, "31" as the 31st day of the month, etc.);

(10) Time of patient's visit is the time the patient went to the emergency department in 24-hour format (00:00).

(11)
State is the state of the patient's residence represented by two text characters ('NM', 'TX', 'AZ,' etc.).

(12) County is the county of the patient's residence at the time of discharge.

(13) City is the city of the patient's residence at the time of discharge.

(14) Address is the mailing address of the patient at the time of the discharge, including street name and number or post office box number or rural route number.

(15) Zip code is the nine-digit zip code of the patient's residence at the time of discharge.

(16) DIAG1 is the patient's first-listed diagnosis, using ICD-10 coding.

(17) All subsequent diagnoses includes all other diagnoses provided as separate variables, i.e. DIAG2, DIAG3, etc., through DIAG45, if applicable, and E-Code1-Code3.

(18) Pay type is the payment type specified as one of the following broad categories assigned by the data provider in the primary payer identification name field:

(a)
'01' = private insurance;

(b)
'02' = medicaid;

(c)
'03' = medicare;

(d)
'04' = other federal plan;

(e)
'05' = self-pay;

(f)
'06' = county indigent fund or charity;

(g)
'07' = other.

(19) Hospital is the name of the reporting facility.

(20) Facility-specific MRN is the medical record number for a patient specific to the facility.

(21) Control number is the control number specific to the facility-patient record.

(22) EMS is the EMS ambulance run number.

(23) Disposition is where the patient went after the ED visit and is coded as:

(a)
'01' = routine discharge;

(b)
'07' = left against medical advice;

(c)
'09' = admitted as an inpatient to this hospital;

(d)
'20' = expired/died;

(e)
'05' = transferred to another facility.

(24) Disposition date is the date corresponding to the disposition and formatted as DDMMYY.

(25) Disposition time is the time corresponding to the disposition date and entered in 24-hour format (00:00).

(26) Facility transfer is the facility where the patient was transferred. This should be coded using characters or by providing a copy of a data dictionary which describes which codes belongs with which facility. If not applicable, enter 'N/A.'

(27) Total charges is the amount rounded to the nearest whole dollar for the total charges for all services reported. No cents should be reported.

(28) Procedure coding type is the type of procedure coding used:

(a) '01' = CPT (current procedural terminology);

(b) '02' = ICD (international classification of disease).

(29) PROC1 is the patient's first-listed procedure, in ICD-10 or CPT coding.

(30) All subsequent procedure codes include any additional procedure codes available for the patient provided as separate variables, i.e. PROC2, PROC3, up through PROC6 as ICD-10 or CPT coding.

(31) Sexual orientation (optional reporting) is an individual's pattern of emotional, romantic and sexual attraction to specific genders. Ideally, the patient will self-report which of the following best represents them:

(a) '01' = straight, that is, not lesbian or gay;

(b) '02' = lesbian or gay;

(c) '03' = bisexual or pansexual;

(d) '04' = i use a different term/something else;

(e) '05' = don't know.

(32) Gender identity (optional reporting) is the patient's concept of self as male, female, a blend of both or neither. Ideally, the patient will self-report which of the following best represents them:

(a) '01' = female;

(b) '02' = male;

(c) '03' = transgender;

(d) '04' = nonbinary;

(e) '05' = i use a different term;

(f) '06' = don't know;

(g) '07' = prefer not to answer.

B. Confidentiality:

All emergency department visit

reports are confidential. Disclosure to any person of report information, except for disclosure of a notifiable condition for the purpose of prevention or control of diseases and other health conditions, is prohibited unless disclosure is required by law. [7.4.3.10 NMAC - Rp, 7.4.3.10 NMAC, 7/28/2026]

7.4.3.11 HEALTHCARE-ASSOCIATED INFECTION

REPORTING: Acute care hospitals only will submit data to the New Mexico department of health using the centers for disease control and prevention (CDC) national healthcare safety network (NHSN) and confer rights to access the data to the New Mexico department of health. [7.4.3.11 NMAC - Rp 7.4.3.11 NMAC, 7/28/2026]

7.4.3.12 REPEALER:

These requirements repeal and replace all previous rules, particularly rules governing the control of communicable disease of November 11, 1952, rules governing the reporting of notifiable disease of June 29, 1974 and rules governing the control of disease and conditions of public health significance of 1980. [7.4.3.12 NMAC - Rp, 7.4.3.12 NMAC, 7/28/2026]

7.4.3.13 NOTIFIABLE DISEASES OR CONDITIONS IN NEW MEXICO:

A. Required content

for reports: All reports, including electronic laboratory reports of notifiable conditions, must include:

(1) specimen source, collection date, name of the test and test result;

(2) patient's name, date of birth, gender, race/ethnicity, address, patient telephone numbers, and occupation;

(3) physician or licensed healthcare professional name and telephone number; and

(4) healthcare facility or laboratory name and telephone number, if applicable;

(5) reason for test;

(6) additional information required in the course of a public health investigation includes hospitalization status, patient treatment type, exposure status, travel history, and pregnancy status.

B. Laboratory

specimens: Isolates, laboratory, and clinical samples for conditions marked with (*) are required to be sent to the scientific laboratory division. Conditions marked with (+) are required for sentinel surveillance. Surveillance of these conditions may change as described under Subsection F of 7.4.3.9 NMAC.

C. Emergency

reporting of diseases or conditions:

The following diseases, confirmed or suspected, require immediate reporting to the division.

(1) Infectious diseases:

(a) anthrax*;

(b) avian or novel influenza*;

(c) bordetella species (including pertussis)*;

(d) botulism (any type)*;

(e) cholera*;

(f) diphtheria*;

(g) haemophilus influenzae invasive infections*;

(h) measles;

(i) Middle East respiratory syndrome;

(j) meningococcal infections, invasive*;

(k) plague*;

(l) poliomyelitis, paralytic and non-paralytic;

(m) rabies;

(n) rubella (including congenital);

(o) severe acute respiratory syndrome (SARS)*;

smallpox*;	(p)	candida auris (C. auris)*;	(d)	PCR and genotype results including negative; for children under 4 only, report antibody negative results;	
tularemia*;	(q)	carbapenemase-producing organism (CPO)*;	(e)	hepatitis E, acute;	(cc)
typhoid fever*;	(r)	carbapenem-resistant Acinetobacter baumannii (CRAB)*;	(f)	influenza-associated pediatric death;	(dd)
viral hemorrhagic fever;	(s)	carbapenem-resistant enterobacterales (CRE)*;	(g)	influenza, laboratory-confirmed hospitalization only +;	(ee)
yellow fever.	(t)	carbapenem-resistant Pseudomonas aeruginosa (CRPA)*;	(h)	legionnaires' disease;	(ff)
(2) Other conditions:		chikungunya virus disease;	(i)	leptospirosis;	(gg)
suspected foodborne illness in two or more unrelated persons*;	(a)	clostridium difficile+;	(j)	listeriosis*;	(hh)
suspected waterborne illness or conditions in two or more unrelated persons*;	(b)	coccidioidomycosis;	(k)	lyme disease;	(ii)
illnesses or conditions suspected to be caused by the intentional or accidental release of biologic or chemical agents*;	(c)	Colorado tick fever;	(l)	malaria;	(jj)
acute illnesses or conditions of any type involving large numbers of persons in the same geographic area;	(d)	cryptosporidiosis;	(m)	mumps;	(kk)
severe smallpox vaccine reaction;	(e)	cysticercosis;	(n)	necrotizing fasciitis*;	(ll)
other illnesses or conditions of public health significance.	(f)	cyclosporiasis;	(o)	psittacosis;	(mm)
(3) Infectious diseases in animals:		dengue;	(p)	fever;	(nn) q
anthrax;	(a)	colli 0157:H7 infections*;	(q)	relapsing fever;	(oo)
avian influenza in companion animals;	(b)	colli, Shiga-toxin producing (STEC) infections*;	(r)	respiratory syncytial virus (RSV), laboratory-confirmed hospitalization only+;	(pp)
plague;	(c)	encephalitis, other;	(s)	salmonellosis*;	(qq)
rabies;	(d)	giardiasis;	(t)	SARS-COV-2 (COVID-19), laboratory-confirmed hospitalization only+;	(rr)
tularemia.	(e)	group A streptococcal invasive infections*;	(u)	shigellosis*;	(ss)
D. Routine reporting of diseases or conditions:		group B streptococcal invasive infections*;	(v)	spotted fever rickettsiosis/Rocky Mountain spotted fever;	(tt)
(1) Infectious diseases (report case within 24 hours to division by fax at 505-827-0013 or by phone at 1-833-796-8773):		Hansen's disease/leprosy;	(w)	St. Louis encephalitis infections;	(uu)
arboviral disease;	(a)	hemolytic uremic syndrome;	(x)	streptococcus pneumoniae, invasive infections*;	(vv)
brucellosis;	(b)	hepatitis A, acute;	(y)	tetanus;	(ww)
campylobacter infections*;	(c)	hepatitis B, acute or chronic;	(z)	trichinellosis;	(xx)
		hepatitis C, acute or chronic; report antibody positive results and all	(aa)	toxic shock syndrome;	(yy)
			(bb)	varicella;	(zz)

vibrio infections*; West Nile virus infections; western equine encephalitis infections; yersinia infections*.	a positive Mantoux tuberculin skin test or interferon gamma release assay test; no radiological evidence of active tuberculosis in the lungs; no signs or symptoms consistent with tuberculosis disease; and	Report to division, by phone at 1-833-796-8773 or by fax (505-827-0013): asbestosis; coal worker's pneumoconiosis; hypersensitivity pneumonitis; mesothelioma;
(2) Infectious diseases in animals (report case within 24 hours to division at 1-833-796-8773):	no documented prior tuberculosis infection.	noise induced hearing loss; occupational asthma;
arboviral, other; brucellosis; psittacosis;	Sexually transmitted diseases. Report to communicable disease bureau - STD program, NM department of health, P.O. Box 26110, Santa Fe, NM 87502-6110, call 1-833-796-8773 or fax to 505-207-7991.	occupational burn hospitalization; occupational heat-related illness; occupational injury death;
West Nile virus infections. (3) Tuberculosis*(includes active tuberculosis disease and latent tuberculosis infection (LTBI). Report results to NM department of health by phone at 1-833-796-8773 or by fax at 505-827-0163.	chancroid; chlamydia trachomatis infections; gonorrhea;	occupational pesticide poisoning; occupational traumatic amputation; silicosis;
(a) Active tuberculosis (TB) disease: - report suspected or lab-confirmed cases within 24 hours. Lab-confirmed TB cases include:	syphilis, including positive (reactive) and negative (non-reactive) laboratory results).	other illnesses or injuries related to occupational exposure. (7) Health conditions related to environmental exposures and certain injuries: Report to division by phone at 1-833-796-8773 or by fax at 505-827-0013.
(i) AFB culture positives for mycobacterium tuberculosis complex or (MTBC);	(5) HIV (human immunodeficiency virus)of all stages. Report to HIV and hepatitis epidemiology program, by written report (1190 St. Francis Dr., N1350, Santa Fe, NM 87502), phone (1-833-796-8773), or fax (505-827-0013):	(a) Environmental exposures:
(ii) PCR/NAAT molecular test positive for MTBC.	(a) confirmed positive HIV antibody tests (screening test plus confirmatory test);	(i) all pesticide poisoning;
(b) Suspected TB cases include:	(b) tests for HIV RNA or HIV cDNA ('-viral load tests-');	(ii) arsenic in urine greater than 50 micrograms/liter;
(i) chest imaging (CXR or CT scan) compatible with tuberculosis disease;	(c) tests to detect HIV proteins;	(iii) carbon monoxide poisoning;
(ii) biopsy/pathology consistent with possible mycobacterium complex or MTBC;	(d) positive HIV cultures;	(iv) infant methemoglobinemia;
(iii) symptoms and clinical evaluation consistent with suspected or active TB.	(e) HIV genotype tests;	(v) lead (all blood levels);
(c) Latent TB: report within seven days where LTBI diagnosis is established when the following are met:	(f) CD4 lymphocyte tests (count and percent); (g) opportunistic infections, cancers and any other test or condition indicative of HIV or AIDS. (6) Occupational illness and injury.	(vi) mercury in urine greater than 3 micrograms/liter or mercury in blood greater than 5 micrograms/liter; (vii) uranium in urine greater than 0.2 micrograms/liter or 0.2 micrograms/gram creatinine; (viii) other suspected environmentally-induced health conditions.

Injuries: drug overdose; firearm injuries; fracture due to fall among older (65 years of age and older) adults; suicide attempt; traumatic brain injuries. (8) Adverse vaccine reactions: Report to vaccine adverse events reporting system, https://vaers.hhs.gov/. (9) Cancer: Report to designee, New Mexico tumor registry. Report all malignant and in situ neoplasms and all intracranial neoplasms, regardless of the tissue of origin, using the prevailing standards promulgated by the national cancer institute, the centers for disease control and prevention, the North American association of central cancer registries, and the American college of surgeons. Call 505-272-5541 for questions. (10) Human papillomavirus (HPV): Laboratories report the following as electronic laboratory results (ELR) and as specified by the department's designee, New Mexico HPV Pap Registry. Call 505-272-5785 for questions: (a) papanicolaou test results (all results) from cervical, vaginal and anal sites, include primary screening, cotest, triage or abnormal follow-up indications; (b) cervical, vulvar, vaginal, anal, oropharyngeal, uterine, and endometrial pathology results (all results); (c) HPV test results (all results) from any anatomic site including primary screening (self- or clinician-collection), cotest, triage or abnormal follow-up indications; (d) Immunocytochemistry (ICC),	(b) Immunohistochemistry (IHC), biomarker tests (all results) used as adjunctive tests to (a), (b) and (c) above. (ii) (11) Birth defects: (a) Report to family health bureau – maternal & child health epidemiology program, NM department of health, by phone (1-833-796-8773), by fax (1-505-476-8995) or written report (2040 S. Pacheco, Santa Fe, NM 87505-5421); (b) All birth defects diagnosed by age four years, including: (i) defects diagnosed during pregnancy; (ii) defects diagnosed on fetal deaths; (iii) defects found in chromosome testing on amniotic fluid, chorionic villus sampling and products of conception for trisomy 13, trisomy 18 and trisomy 21. (12) Genetic and congenital hearing screening: Report to children's medical services, 2040 S. Pacheco, Santa Fe, NM 87505 fax to 505-476-8896 or 505-827-5995 or call 505-476-8868. (a) neonatal screening for congenital hearing loss (all results); (b) suspected or confirmed congenital hearing loss in one or both ears; (c) all conditions identified through statewide newborn genetic screening; (d) newborn critical congenital heart defects screening (all results). [7.4.3.13 NMAC - Rp, 7.4.3.13 NMAC 7/28/2026] HISTORY OF 7.4.3 NMAC: Pre-NMAC History: The material in this part was derived from that previously filed with the commission of public records - state records center and archives: HSSD 72-3, Regulations Governing The Reporting Of Notifiable Diseases, filed 10/4/1972. HSSD 74-16, Regulations Governing	The Reporting Of Notifiable Diseases, filed 7/30/1974. HED-79-4 (HSD), Regulations Governing The Control Of Disease And Conditions Of Public Health Significance, filed 12/20/1979. History of Repealed Material: 7 NMAC 4.3, Control of Disease and Conditions of Public Health Significance (filed 10/31/1996), repealed 8/15/2003. 7.4.3 NMAC, Control of Disease and Conditions of Public Health Significance (filed July 31, 2003), repealed 04/30/2009. 7.4.3 NMAC, Control of Disease and Conditions of Public Health Significance (filed 4/14/2009), repealed 7/28/2026. Other History: HED-79-4 (HSD), Regulations Governing The Control Of Disease And Conditions Of Public Health Significance (filed 12/20/1979) was renumbered, reformatted, and amended into the first version of the New Mexico Administrative code as 7 NMAC 4.3, Control of Disease and Conditions of Public Health Significance, effective 10/31/1996. 7 NMAC 4.3, Control of Disease and Conditions of Public Health Significance, filed 10/16/1996 was replaced by the second version of the New Mexico Administrative code as 7.4.3 NMAC, Control of Disease and Conditions of Public Health Significance, effective 8/15/2003. 7.4.3 NMAC, Control of Disease and Conditions of Public Health Significance (filed July 31, 2003) was replaced by 7.4.3 NMAC, Health, Disease Control (Epidemiology), Control of Disease and Conditions of Public Health Significance, effective 04/30/2009. 7.4.3 NMAC, Control of Disease and Conditions of Public Health Significance (filed 4/14/2009) was replaced by 7.4.3 NMAC, Health, Disease Control (Epidemiology), Control of Disease and Conditions of Public Health Significance, effective 7/28/2026.
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**REGULATION
AND LICENSING
DEPARTMENT
OCCUPATIONAL THERAPY,
BOARD OF EXAMINERS**

This is an amendment to 16.16.2 NMAC, Sections 8 and 23 effective 07/28/2026.

**16.16.2.8 APPLICATION
PROCESSING FEE: [\$175.00]
\$185.00**

A. The application fee must accompany the letter of intent to sit for a scheduled board examination for the purposes of 16.16.3.9 NMAC.

B. The application-processing fee is required each time the candidate applies to sit for the board examination.

C. The electronic processing administrative fee will be required per year.
[6/24/1994; 10/14/1995; 5/31/1996; 16.16.2.8 NMAC - Rn, 16 NMAC 16.2.8, 03/15/2001; A, 07/06/2012; A, 12/27/2022; A, 07/28/2026]

**16.16.2.23 OTHER
ADMINISTRATIVE FEES:**

A. Request for CE review for approval for licensees as provided in 16.16.13.10 NMAC: \$35.00.

B. Returned Check or Returned Electronic Check Processing Fee: \$35.00. The board will charge for returned checks or electronic checks.
[16.16.2.23 NMAC - Rn, 16.16.2.21 NMAC, 07/06/2012; A, 12/27/2022; A, 07/28/2026]

**REGULATION
AND LICENSING
DEPARTMENT
OCCUPATIONAL THERAPY,
BOARD OF EXAMINERS**

This is an amendment to 16.16.13 NMAC, Section 8 effective 7/28/2026.

**16.16.13.8
CONTINUING EDUCATION
REQUIREMENTS: A minimum of
22 clock-hours of optometry related,**

board approved continuing education or postgraduate programs, are required for license renewal each year beginning July 1, as detailed below.

A. The continuing education shall be submitted as follows:

(1) at least
10 of the 22 hours of continuing education must be in a board approved program in clinical or ocular therapeutic pharmacology; and

(2) at least
one of the 22 hours of continuing education must be in a board approved course in pain management or related topic pursuant to 16.16.15.11 NMAC. This requirement shall begin with the 2015 renewal period beginning July 2, 2014.

B. For optometrists on inactive status, a minimum of 10 hours of continuing education in a board approved program in clinical or ocular therapeutic pharmacology is required.

C. The continuing education must have been taken within the preceding renewal period (i.e. July 2 of one year through June 30 of the next).

D. The board may audit any licensee's continuing education documentation for the current licensing year and the two previous years.

E. A licensee who receives a notice of audit shall submit to the board office on or before July 1, unless otherwise specified, evidence of continuing education hours for the requested period.

F. [A licensee will be placed on expired status if the licensee fails to meet the continuing education requirements for renewal by the expiration date stated in the rule.] A licensee who submits records or a sworn affidavit on their renewal application to demonstrate compliance with continuing education requirements but is found to be noncompliant during a random audit will be subject to fines and other penalties determined appropriate by the board.

G. [Reactivation of license expired due to non-renewal for

failure to meet the continuing education requirement. The licensee may apply for license reactivation in the same manner as provided in Part 11 of 16.16 NMAC. The continuing education and fees will be calculated based on the number of years the license was expired due to non-renewal for failure to meet the continuing education requirement.] A license will be placed on expired status if the licensee fails to meet the continuing education requirements for renewal by the expiration date stated in this rule.

H. [Newly licensed optometrists who graduated from optometry school within the same year of licensure may submit the completed curriculum of their last year of optometry school to meet their continuing education requirement the first year of renewal.] Reactivation of license expired due to non-renewal for failure to meet the continuing education requirement. The licensee may apply for license reactivation in the same manner as provided in 16.16.11 NMAC. The continuing education and fees will be calculated based on the number of years the license was expired due to non-renewal for failure to meet the continuing education requirement.

I. Newly licensed optometrists who graduated from optometry school within the same year of licensure may submit the completed curriculum of their last year of optometry school to meet their continuing education requirement the first year of renewal.
[11/17/1973; 2/6/1987; 10/14/1995; 10/15/1997; 2/15/1999; 16.16.13.8 NMAC - Rn, 16 NMAC 16.13.8, 03/15/2001; A, 03/15/2004; A, 03/22/2008; A, 07/06/2012; A, 04/24/2014; A, 03/02/2016; A, 05/29/2019; A, 07/28/2026]

**WILDLIFE,
DEPARTMENT OF**

**TITLE 19 NATURAL
RESOURCES AND WILDLIFE
CHAPTER 31 HUNTING AND**

FISHING**PART 6 MIGRATORY
GAME BIRD****19.31.6.1 ISSUING**

AGENCY: New Mexico department of wildlife.

[19.31.6.1 NMAC - Rp, 19.31.6.1 NMAC, 9/1/2026]

19.31.6.2 SCOPE:

Sportspersons interested in migratory game bird management and hunting. Additional requirements may be found in Chapter 17 NMSA 1978 and Title 19 NMAC.

[19.31.6.2 NMAC - Rp, 19.31.6.2 NMAC, 9/1/2026]

19.31.6.3 STATUTORY

AUTHORITY: Section 17-1-14 and 17-1-26 NMSA 1978 provide that the New Mexico state wildlife commission has the authority to establish rules and regulations that it may deem necessary to carry out the purpose of Chapter 17 NMSA 1978 and all other acts pertaining to protected mammals, birds and fish.

[19.31.6.3 NMAC - Rp, 19.31.6.3 NMAC, 9/1/2026]

19.31.6.4 DURATION:

September 1, 2026 - March 31, 2027.

[19.31.6.4 NMAC - Rp, 19.31.6.4 NMAC, 9/1/2026]

19.31.6.5 EFFECTIVE

DATE: September 1, 2026, unless a later date is cited at the end of a section.

[19.31.6.5 NMAC - Rp, 19.31.6.5 NMAC, 9/1/2026]

19.31.6.6 OBJECTIVE:

Establishing open hunting seasons, regulations, rules and procedures governing the issuance of migratory game bird licenses and permits by the department.

[19.31.6.6 NMAC - Rp, 19.31.6.6 NMAC, 9/1/2026]

19.31.6.7 DEFINITIONS:

A. “Bernardo pond unit” shall mean that portion of Bernardo wildlife management area

extending approximately 3,500 feet south of U.S. 60 and 2,200 feet west of the Unit 7 drain.

B. “Bernardo youth unit” shall mean that portion of Bernardo wildlife management area immediately south of the Quagmire, west of the San Francisco ditch, and east of the unit 7 drain.

C. “Central flyway” shall mean that portion of New Mexico east of the continental divide.

D. “Dark goose” shall mean Canada goose or white-fronted goose.

E. “Department” shall mean the New Mexico department of wildlife.

F. “Director” shall mean the director of the New Mexico department of wildlife.

G. “Dove north zone” or “north zone” shall mean that portion of New Mexico north of Interstate 40 from the Arizona-New Mexico border to Tucumcari and U.S. 54 at its junction with Interstate 40 at Tucumcari to the New Mexico-Texas border.

H. “Dove south zone” or “south zone” shall mean that portion of New Mexico south of Interstate 40 from the Arizona-New Mexico border to Tucumcari and U.S. 54 at its junction with Interstate 40 at Tucumcari to the New Mexico-Texas border.

I. “Eastern New Mexico sandhill crane hunt area” or “eastern” shall mean the following counties: Chaves, Curry, De Baca, Eddy, Lea, Quay and Roosevelt.

J. “Estancia valley sandhill crane hunt area” or “EV” shall mean that area beginning at Mountainair bounded on the west by N.M. 55 north to N.M. 337, north to N.M. 14, and north to Interstate 25; on the north by Interstate 25 east to U.S. 285; on the east by U.S. 285 south to U.S. 60; and on the south by U.S. 60 from U.S. 285 west to N.M. 55 in Mountainair.

K. “Falconry” shall mean hunting migratory game birds using raptors.

L. “Federal youth waterfowl hunting days” shall mean

the special seasons where only those 17 years of age and younger may hunt ducks, coots and gallinules in the Pacific flyway or ducks and coots in the central flyway. A supervising adult at least 18 years of age must accompany the youth hunter. The adult may not hunt ducks, coots or gallinules, but may participate in other seasons that are open on the special youth days.

M. “Light geese” shall mean snow geese, blue phase snow geese and Ross’s geese.

N. “Light goose conservation order” shall mean those methods, bag and possession limits and dates approved by the U.S. fish and wildlife service towards reducing over-abundant light goose populations.

O. “Middle Rio Grande valley (MRGV) dark goose hunt area” shall mean Sierra, Socorro and Valencia counties.

P. “Middle Rio Grande valley (MRGV) sandhill crane hunt area” shall mean Valencia and Socorro counties.

Q. “Migratory game bird” shall mean band-tailed pigeon, mourning dove, white-winged dove, sandhill crane, American coot, gallinule, snipe, ducks, geese, sora and Virginia rail.

R. “North zone” shall mean that portion of the Pacific flyway north of Interstate 40, and that portion of the central flyway north of Interstate 40 from the continental divide to Tucumcari and U.S. 54 at its junction with Interstate 40 at Tucumcari to the New Mexico-Texas border.

S. “Pacific flyway” shall mean that portion of New Mexico west of the continental divide.

T. “Possession limit” shall mean the number of birds in a person’s possession regardless of the location stored.

U. “Quagmire” shall mean that portion of Bernardo wildlife management area south of U.S. 60, west of the San Francisco ditch, and east of the unit 7 drain, excluding the Bernardo youth unit at the southern tip.

V. "South zone"

shall mean that portion of the Pacific flyway south of Interstate 40, and that portion of the central flyway south of Interstate 40 from the continental divide to Tucumcari and U.S. 54 at its junction with Interstate 40 at Tucumcari to the New Mexico-Texas border.

W. "Southwest band-tailed pigeon hunting area" or "southwest BPHA" shall mean that portion of New Mexico both south of U.S. 60 and west of Interstate 25.

X. "Southwest New Mexico sandhill crane hunt area" or "SW" shall mean that area bounded on the south by the New Mexico-Mexico border; on the west by the New Mexico-Arizona border north to Interstate 10; on the north by Interstate 10 east to U.S. 180, north to N.M. 26, east to N.M. 27, north to N.M. 152, and east to Interstate 25; on the east by Interstate 25 south to Interstate 10, west to the Luna county line, and south to the New Mexico-Mexico border.

Y. "Unit D" shall mean only the ephemeral pond or wetland portion of Bernardo WMA contained within the area extending approximately 1,700 feet north of U.S. 60, east of the railroad tracks, and west of the unit 7 drain.

Z. "Wildlife management areas" or "WMAs" shall mean those areas as described in 19.34.5 NMAC Wildlife Management Areas.
[19.31.6.7 NMAC - Rp, 19.31.6.7 NMAC, 9/1/2026]

19.31.6.8 ADJUSTMENT OF SANDHILL CRANE PERMITS:

The director, with verbal concurrence of the chairperson or their designee, may adjust the number of permits to address significant changes in harvest levels. This adjustment may be applied to any or all of the entry hunt codes.
[19.31.6.8 NMAC - Rp, 19.31.6.8 NMAC, 9/1/2026]

19.31.6.9 LICENSE AND APPLICATION REQUIREMENTS:

Waterfowl

hunters 16 years of age and older are required to have in their possession a federal migratory bird hunting and conservation stamp (duck stamp). It shall be unlawful to take or attempt to take migratory birds without a Harvest Information Program (HIP) number, or duck stamp if required.

A. Any person taking or attempting to take sandhill cranes in the eastern hunt area must have a valid license and a free sandhill crane hunting permit obtained from department offices or website.

B. For EV sandhill crane, MRGV sandhill crane, MRGV youth-only sandhill crane and SW sandhill crane: in addition to a valid license, a special permit obtained by drawing shall be required.

C. For the light goose conservation order: in addition to a valid license, a free light goose conservation order permit obtained from department offices or website shall be required.

D. For band-tailed pigeon hunting: in addition to a valid license, a free band-tailed pigeon permit obtained from department offices or website shall be required.

E. All permits and licenses shall be valid only for the dates, legal sporting arms, bag limit and area printed on the permit or license.
[19.31.6.9 NMAC - Rp, 19.31.6.9 NMAC, 9/1/2026]

19.31.6.10 MANNER AND METHODS FOR MIGRATORY GAME BIRDS:

A. Hours: Migratory game birds may be hunted or taken only during the period from one-half hour before sunrise to sunset, unless otherwise stated in rule.

(1) Migratory bird hunting hours on the Bottomless lakes overflow, and Bernardo, Casa Colorada, Jackson lake, La Joya and W.S. Huey WMAs shall be from one-half hour before sunrise to 1:00 p.m. unless otherwise stated in rule.

(2) September teal hunting hours on Bernardo and La Joya WMAs are from one-half hour before sunrise to sunset.

(3) Light

goose conservation order hunting hours, including Bernardo pond unit and Unit D, shall be from one-half hour before sunrise to one-half hour after sunset. Exceptions: Bottomless lakes overflow, Bernardo Quagmire, and Casa Colorada, Jackson lake, La Joya and W.S. Huey WMAs hunting hours shall be from one-half hour before sunrise to 1:00 p.m.

B. Lands and waters owned, administered, controlled or managed by the state wildlife commission:

(1) State wildlife management areas open, species that can be hunted and days open for hunting:

(a)

Bernardo WMA:

(i)

That portion of the Bernardo WMA south of U.S. 60 is open to teal hunting each day of the September teal season and the federal youth waterfowl hunting days. That portion of the Bernardo WMA north of U.S. 60 is closed unless otherwise stated in rule.

(ii)

The Quagmire shall be open only on Tuesdays, Thursdays and Sundays to hunt ducks, geese, Virginia rail, sora, gallinule, American coot and snipe during established seasons, unless otherwise specifically allowed by rule.

(iii)

The Bernardo pond unit shall be open for general waterfowl hunting and during the light goose conservation order on Mondays, Wednesdays and Saturdays to hunt ducks, geese, Virginia rail, sora, gallinule, American coot and snipe during established seasons, unless otherwise specifically allowed by rule.

(iv)

The Bernardo youth unit shall be open for youth waterfowl hunting on Mondays, Wednesdays and Saturdays to hunt ducks, geese, Virginia rail, sora, gallinule, American coot and snipe during established seasons, unless otherwise specifically allowed by rule

(v)

Unit D shall be open for general

waterfowl hunting and during the light goose conservation order on Mondays, Wednesdays and Saturdays to hunt ducks, geese, Virginia rail, sora, gallinule, American coot and snipe during established seasons, unless otherwise specifically allowed by rule.

(b) The Edward Sargent, W. A. Humphries, Rio Chama, Urraca, Colin Neblett, Water canyon, Marquez/LBar and Elliot S. Barker WMAs shall be open for hunting dove and band-tailed pigeon during established seasons.

(c) The portion of Jackson lake WMA west of N.M. 170 shall be open on Mondays, Wednesdays and Saturdays to hunt ducks, geese, Virginia rail, sora, gallinule, American coot and snipe. The portion of Jackson lake WMA east of N.M. 170 shall be open to falconry-only migratory game bird hunting during established seasons.

(d) The lesser prairie-chicken management areas, Double E and River Ranch WMAs shall be open to hunt dove during established seasons.

(e) La Joya WMA:

(i) the entire La Joya WMA shall be open to teal hunting each day of the September teal season and each day of the federal youth waterfowl hunting days;

(ii) that portion of La Joya WMA north of the main east/west entrance road and west of the railroad tracks shall be open on Saturdays, Mondays and Wednesdays to hunt ducks, geese, Virginia rail, sora, gallinule, American coot and snipe during established seasons, unless otherwise specifically allowed by rule;

(iii) that portion of La Joya WMA south of the main east/west entrance road and west of the railroad tracks shall be open on Sundays, Tuesdays and Thursdays to hunt ducks, geese, Virginia rail, sora, gallinule, American coot and snipe during established seasons, unless otherwise specifically allowed by rule;

(iv) that portion of La Joya WMA east of the railroad tracks shall be open to hunt dove, ducks, geese, Virginia rail, sora, gallinule, American coot and snipe during established seasons.

(f) The Charette lake, McAllister lake, Wagon Mound, Tucumcari, Socorro-Escondida, Hammond tract and Retherford tract WMAs shall be open for all migratory game bird hunting during established seasons.

(g) The W.S. Huey WMA shall be open for dove hunting on Mondays, Wednesdays and Saturdays during established seasons.

(2) All WMAs shall be open to falconry waterfowl hunting each day of the established falconry season, unless otherwise restricted by rule.

[19.31.6.10 NMAC - Rp, 19.31.6.10 NMAC, 9/1/2026]

19.31.6.11 SPECIES, OPEN AREAS, SEASON DATES AND DAILY BAG LIMITS: 2026-2027 season, all dates are 2026 unless otherwise specified. Possession limits are three times the daily bag limit unless otherwise specified.

species	open areas	season dates	daily bag limit
mourning and white-winged dove	north zone	Sept. 1 - Nov. 29	15 (singly or in aggregate)
	south zone	Sept. 1 - Oct. 28 and Dec. 1 - Jan. 1, 2027	
band-tailed pigeon	southwest BPHA	Oct. 1 - 14	2
	statewide except southwest BPHA	Sept. 1 - 14	
regular season sandhill crane (free permit required)	eastern	Oct. 24 - Jan. 21, 2027	3 (6 in possession)

CENTRAL FLYWAY: possession limits are three times the daily bag limit unless otherwise specified.

species	season dates	daily bag limit
September teal: blue-winged teal, green-winged teal and cinnamon teal	Sept. 12 - 20	6 (singly or in the aggregate)
ducks	north zone: Oct. 10 - Jan. 13, 2027	6 (singly or in the aggregate) that consists of no more than 5 mallard of which only 2 may be female mallard, (Mexican ducks are included towards the mallard bag limit), 3 wood duck, 1 scaup, 2 redhead, 2 hooded merganser, 3 pintail and 2 canvasback
	south zone: Oct. 28 - Jan. 31, 2027	

youth waterfowl days	north zone: Oct. 3 - 4	Ducks: 6 (singly or in the aggregate) that consists of no more than 5 mallard of which only 2 may be female mallard, (Mexican ducks are included towards the mallard bag limit), 3 wood duck, 1 scaup, 2 redhead, 2 hooded merganser, 3 pintail and 2 canvasback Coots: 15
	south zone: Oct. 24 – Oct. 25	
American coot	north zone: Oct. 10 - Jan. 13, 2027	15
	south zone: Oct. 28 - Jan. 31, 2027	
gallinule	Sept. 12 - Nov. 20	1
snipe	Oct. 10 - Jan. 24, 2027	8
Virginia rail & sora	Sept. 12 - Nov. 20	10 (singly or in the aggregate; 20 in possession)
dark goose: regular season closed in Sierra, Socorro and Valencia counties	Oct. 17 - Jan. 31, 2027	5
dark goose: special MRGV season	Dec. 19 - Jan. 31, 2027	2 (2 per season)
light goose	Oct. 17 - Jan. 31, 2027	50 (no possession limit)
light goose conservation order	Feb. 1 - Mar. 10, 2027	no bag or possession limit
PACIFIC FLYWAY: possession limits are three times the daily bag limit unless otherwise specified.		
Species	season dates	daily bag limit
youth waterfowl days	Oct. 10 - 11	Ducks: 7 (singly or in the aggregate) that consists of no more than 2 female mallard, 2 redhead, 3 pintail and 2 canvasback; Coots and gallinules: 25 (singly or in the aggregate)
Ducks	Oct. 19 - Jan. 31, 2027	7 (singly or in the aggregate); that consists of no more than 2 female mallard, 2 redhead, 3 pintail and 2 canvasback
Scaup	Oct. 19 - Jan. 12, 2027	2 (as part of the aggregate duck bag)
American coot and gallinule	Oct. 19 - Jan. 31, 2027	25 (singly or in the aggregate)
Snipe	Oct. 17 - Jan. 31, 2027	8
Virginia rail & sora	Sept. 12 - Nov. 20	25 (singly or in the aggregate)
Goose	north zone: Sept. 26 - Oct. 11 and Nov. 2 - Jan. 31, 2027	5 Canada geese, 10 white-fronted geese and 20 light geese
	south zone: Oct. 17 - Jan. 31, 2027	

[19.31.6.11 NMAC - Rp, 19.31.6.11 NMAC, 9/1/2026]

19.31.6.12 FALCONRY SEASONS: 2026-2027 season, all dates are 2026 unless otherwise specified. Bag limits are three singly or in the aggregate and nine in possession unless otherwise specified.

CENTRAL FLYWAY		
species	open areas	season dates
mourning and white-winged dove	north	Sept. 1 - Dec. 4 and Dec. 21 - Jan. 1, 2027
	south	Sept. 1 - Nov. 5 and Nov. 22 - Jan. 1, 2027

band-tailed pigeon	southwest BPHA	Oct. 1 - 14
	statewide except southwest BPHA	Sept. 1 - 14
sora and Virginia rail	all	Sept. 12 - Dec. 26
snipe	all	Oct. 10 - Jan. 24, 2027
gallinule	all	Sept. 12 - Dec. 26
ducks and coots	north	Sept. 12 - 20 and Oct. 10 - Jan 13, 2027
	south	Sept. 12 - 20 and Oct. 28 - Jan 31, 2027
goose (light and dark)	all	Oct. 17 - Jan. 31, 2027
goose (dark)	MRGV	Dec. 19 - Jan. 31, 2027
sandhill crane	regular (eastern)	Oct. 10 - Jan. 21, 2027; 3 (6 in possession)
	Estancia valley	Nov. 9 - Dec. 29; 3 (6 in possession)
PACIFIC FLYWAY		
species	open areas	season dates
mourning and white-winged dove	north	Sept. 1 - Dec. 4 and Dec. 21 - Jan. 1, 2027
	south	Sept. 1 - Nov. 5 and Nov. 22 - Jan. 1, 2027
band-tailed pigeon	southwest BPHA	Oct. 1 - 14
	statewide except southwest BPHA	Sept. 1 - 14
ducks	all	Oct. 19 - Jan. 31, 2027
scaup	all	Oct. 19 - Jan. 12, 2027
goose (all)	north	Sept. 26 - Oct. 11 and Nov. 2 - Jan. 31, 2027
	south	Oct. 17 - Jan. 31, 2027
snipe	all	Oct. 17 - Jan. 31, 2027
coots and gallinule	all	Oct. 19 - Jan. 31, 2027
sora and Virginia rail	all	Sept. 12 - Nov. 20

[19.31.6.12 NMAC - Rp, 19.31.6.12 NMAC, 9/1/2026]

19.31.6.13 RESERVED

[19.31.6.13 NMAC - Rp, 19.31.6.13 NMAC, 9/1/2022; Repealed, 9/1/2024]

19.31.6.14 REQUIREMENTS FOR THE SPECIAL BERNARDO YOUTH WATERFOWL UNIT: Blind selection will be available on a first-come, first-serve basis from one-half hour before sunrise to 1:00 p.m. Youth hunters must be accompanied by a supervising adult who may not hunt. A maximum of four people, at least half of which must be youth hunters, is allowed per blind.

[19.31.6.14 NMAC - Rp, 19.31.6.14 NMAC, 9/1/2026]

19.31.6.15 SEASON DATES, OPEN AREAS, BAG LIMITS, HUNT CODES AND PERMIT NUMBERS FOR THE SPECIAL ESTANCIA VALLEY, MIDDLE RIO GRANDE VALLEY AND SOUTHWEST NEW MEXICO SANDHILL CRANE SEASONS:

A. The daily bag limit is 3. The possession limit is twice the daily bag limit, except for the MRGV youth-only hunt where the daily bag and possession limit is 3. The hunting seasons for 2026-2027 are:

hunt location	hunt dates	hunt code	permits
EV	Dec. 12 – Dec. 15 and Dec. 17 – Dec. 20	SCR-0-101	65
MRGV	Nov. 14 - 15	SCR-0-102	87

MRGV	Nov. 28 - Nov. 29	SCR-0-103	87
MRGV	Dec. 12 - 13	SCR-0-104	87
MRGV	Jan. 2 - 3, 2027	SCR-0-105	87
MRGV	Jan. 9 - 10, 2027	SCR-0-106	87
MRGV, youth-only	Nov. 21	SCR-0-107	24
SW	Oct. 31 - Nov. 8	SCR-0-108	84
SW	Jan. 2 - 3, 2027	SCR-0-109	86

B. Hunters who participate in the MRGV season shall be required to check-out at designated check stations when they harvest any sandhill cranes.

C. The department may cancel one or more EV, MRGV or SW sandhill crane hunts if harvest is expected to exceed our federal allocation of greater sandhill cranes.

[19.31.6.15 NMAC - Rp, 19.31.6.15 NMAC, 9/1/2026]

HISTORY OF 19.31.6 NMAC:

Pre-NMAC Filing History: The material in this part was derived from that previously filed with the State Records Center & Archives under: Regulation No. 486, Establishing 1967 Seasons On Quail, Pheasants, Prairie Chickens, and Lesser Sandhill (Little Brown) Crane And Additional Seasons On Migratory Waterfowl, filed 9/22/67; Regulation No. 494, Establishing 1968 Seasons On Migratory Waterfowl, Common Snipe, Lesser Sandhill Crane, Scaled, Gambel's, And Bobwhite Quail, Pheasants, And Prairie Chickens, filed 10/2/68; Regulation No. 508, Establishing 1969 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Scaled, Gambel's And Bobwhite Quail, Pheasants, And Prairie Chickens, filed 9/19/69; Regulation No. 527, Establishing 1971 Seasons On Migratory Waterfowl And Lesser Sandhill Cranes, filed 9/10/71; Regulation No. 540, Establishing 1972 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, And Wilson's Swipe, filed 9/26/72; Regulation No. 551, Establishing 1973 Seasons On Migratory Waterfowl And Lesser Sandhill Crane, filed 8/20/73; Regulation No. 560, Establishing 1974 Seasons On Migratory Waterfowl, Lesser Sandhill Crane,

Quail, Pheasants, And Prairie Chickens, filed 8/21/74; Regulation No. 570, Establishing 1975 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Common Snipe, Quail, Pheasants, And Prairie Chickens, filed 9/5/75; Regulation No. 578, Establishing 1976 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Common Snipe, Quail, Pheasants, And Prairie Chickens, filed 8/31/1976; Regulation No. 588, Establishing 1977 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Common Snipe, Quail, Pheasants, And Prairie Chickens, filed 9/6/1977; Regulation No. 594, Establishing 1978 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Quail, Pheasants, And Prairie Chickens, filed 9/11/1978; Regulation No. 601, Establishing 1979 Seasons on Migratory Waterfowl, Lesser Sandhill Crane, Quail, Pheasants, And Prairie Chickens, filed 8/30/1979; Regulation No. 606, Establishing 1980 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Quail, Pheasants, And Prairie Chickens, filed 9/3/80; Regulation No. 611, Establishing 1981 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Quail, Pheasants, And Prairie Chickens, filed 9/4/1981; Regulation No. 616, Establishing 1982 Seasons On Migratory Waterfowl, Quail,

Pheasants, And Prairie Chickens, filed 9/3/1982; Regulation No. 626, Establishing 1983 Seasons On Migratory Waterfowl, Quail, Pheasants, And Prairie Chickens, filed 9/7/1983; Regulation No. 631, Establishing 1984 Seasons On Migratory Waterfowl, filed 8/31/1984; Regulation No. 638, Establishing 1985 Seasons On Migratory Waterfowl, filed 9/11/1985; Regulation No. 643, Establishing 1986-1987 Seasons On Migratory Birds, filed 8/24/1987; Regulation No. 660, Establishing 1988-1989 Seasons On Migratory Birds, filed 6/28/1988; Regulation No. 669, Establishing 1989-1990 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Sandhill Crane, Band-tailed Pigeon, Dove, And Setting Falconry Seasons, filed 10/5/1989; Regulation No. 680, Establishing 1990-1991 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Common Snipe And Setting Falconry Seasons, filed 9/28/1990; Regulation No. 687, Establishing 1991-1992 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Common Snipe And Setting Falconry Seasons, filed 8/6/1991; Regulation No. 698, Establishing 1991-92 Seasons On Ducks, Geese, Virginia Rail, Sora,

Common Moorhen, American Coot, Common Snipe And Setting Falconry Seasons, filed 8/6/1991; Regulation No. 698, Establishing 1992-1993 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Common Snipe And Setting Falconry seasons, filed 9/15/1992; Regulation No. 704, Establishing 1993-1994 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Common Snipe And Setting Falconry Seasons, filed 3/11/1993; Regulation No. 707, Establishing The 1994-1995, 1995-1996, 1996-1997 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Common Snipe, And Setting Falconry Seasons, filed 7/28/1994; Regulation No. 708, Establishing The 1994-1995, 1995-1996, And 1996-1997 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Common Snipe, And Setting Falconry Seasons, filed 9/7/1994.

NMAC History:

19 NMAC 31.6, Waterfowl, filed 8/31/1995
 19.31.6 NMAC, Waterfowl, filed 8/15/2000
 19.31.6 NMAC, Waterfowl, filed 8/26/2002
 19.31.6 NMAC, Waterfowl, filed 8/12/2003
 19.31.6 NMAC, Waterfowl, filed 8/2/2004
 19.31.6 NMAC, Waterfowl, filed 8/8/2005
 19.31.6 NMAC, Waterfowl, filed 8/1/2006
 19.31.6 NMAC, Waterfowl, filed 8/16/2007
 19.31.6 NMAC, Migratory Game Bird, filed 8/13/2008
 19.31.6 NMAC, Migratory Game Bird, filed 8/17/2009
 19.31.6 NMAC, Migratory Game Bird, filed 8/2/2010
 19.31.6 NMAC, Migratory Game Bird, filed 8/1/2011
 19.31.6 NMAC, Migratory Game Bird, filed 8/14/2012
 19.31.6 NMAC, Migratory Game Bird, filed 8/29/2013

History of Repealed Material:

19.31.6 NMAC, Waterfowl, filed 8/15/2000 - duration expired 3/31/2002
 19.31.6 NMAC, Waterfowl, filed 8/26/2002 - duration expired 3/31/2003
 19.31.6 NMAC, Waterfowl, filed 8/12/2003 - duration expired 3/31/2004
 19.31.6 NMAC, Waterfowl, filed 8/2/2004 - duration expired 3/31/2005
 19.31.6 NMAC, Waterfowl, filed 8/8/2005 - duration expired 3/31/2006
 19.31.6 NMAC, Waterfowl, filed 8/1/2006 - duration expired 3/31/2007
 19.31.6 NMAC, Waterfowl, filed 8/16/2007 - duration expired 3/31/2008
 19.31.6 NMAC, Migratory Game Bird, filed 8/13/2008 - duration expired 3/31/2009
 19.31.6 NMAC, Migratory Game Bird, filed 8/17/2009 - duration expired 3/31/2010
 19.31.6 NMAC, Migratory Game Bird, filed 8/2/2010 - duration expired 3/31/2011
 19.31.6 NMAC, Migratory Game Bird, filed 8/1/2011 - duration expired 3/31/2012
 19.31.6 NMAC, Migratory Game Bird, filed 8/14/2012 - duration expired 3/31/2013
 19.31.6 NMAC, Migratory Game Bird, filed 8/29/2013 - duration expired 3/31/2014
 19.31.6 NMAC, Migratory Game Bird, filed 8/31/2014 - duration expired 3/31/2015
 19.31.6 NMAC, Migratory Game Bird, filed 9/1/2015 - duration expired 3/31/2016
 19.31.6 NMAC, Migratory Game Bird, filed 6/30/2016 - duration expired 3/31/2017
 19.31.6 NMAC, Migratory Game Bird, filed 7/27/2017 - duration expired 3/31/2018
 19.31.6 NMAC, Migratory Game Bird, filed 7/2/2018 - duration expired 3/31/2019
 19.31.6 NMAC, Migratory Game Bird, filed 8/28/2019 - duration expired 3/31/2020
 19.31.6 NMAC, Migratory Game Bird, filed 8/13/20 - duration expired 3/31/2021

19.31.6 NMAC, Migratory Game Bird, filed 8/12/21 - duration expired 3/31/2022
 19.31.6 NMAC, Migratory Game Bird, filed 7/27/22 - duration expired 3/31/2023
 19.31.6 NMAC, Migratory Game Bird, filed 8/3/23 - duration expired 3/31/2024
 19.31.6 NMAC, Migratory Game Bird, filed 8/15/24 - duration expired 3/31/2025
 19.31.6 NMAC, Migratory Game Bird, filed 6/25/25 - duration expired 3/31/2026

WILDLIFE, DEPARTMENT OF

TITLE 19 NATURAL RESOURCES AND WILDLIFE CHAPTER 31 HUNTING AND FISHING PART 12 BARBARY SHEEP, ORYX, AND PERSIAN IBEX

19.31.12.1 ISSUING
AGENCY: New Mexico department of wildlife.
 [19.31.12.1 NMAC - Rp, 19.31.12.1 NMAC, 4/1/2027]

19.31.12.2 SCOPE:
 Sportspersons interested in Barbary sheep, oryx and Persian ibex management and hunting. Additional requirements may be found in Chapter 17 NMSA 1978, and Title 19 NMAC. [19.31.12.2 NMAC - Rp, 19.31.12.2 NMAC, 4/1/2027]

19.31.12.3 STATUTORY
AUTHORITY: Sections 17-1-14 and 17-1-26 NMSA 1978 provide that the New Mexico state wildlife commission has the authority to establish rules and regulations that it may deem necessary to carry out the purpose of Chapter 17 NMSA 1978 and all other acts pertaining to protected mammals, birds and fish. [19.31.12.3 NMAC - Rp, 19.31.12.3 NMAC, 4/1/2027]

19.31.12.4 DURATION:
 April 1, 2027 through March 31, 2031.

[19.31.12.4 NMAC - Rp, 19.31.12.4 NMAC, 4/1/2027]

19.31.12.5 EFFECTIVE

DATE: April 1, 2027, unless a later date is cited at the end of an individual section.

[19.31.12.5 NMAC - Rp, 19.31.12.5 NMAC, 4/1/2027]

19.31.12.6 OBJECTIVE:

Establishing open hunting seasons and regulations, rules and procedures governing the distribution and issuance of Barbary sheep, oryx and Persian ibex licenses by the department.

[19.31.12.6 NMAC - Rp, 19.31.12.6 NMAC, 4/1/2027]

19.31.12.7 DEFINITIONS:

A. "Broken-horned oryx" or "BHO" shall mean an oryx of either sex that possesses at least one horn missing at least twenty-five percent of its normal growth, or any oryx which has no horn(s) shall be considered a broken-horned oryx.

B. "Department" shall mean the New Mexico department of wildlife.

C. "Director" shall mean the director of the New Mexico department of wildlife.

D. "Either sex" or "ES" shall mean any one animal of the species.

E. "Female or immature Barbary sheep" or "F/IM" shall mean any female Barbary sheep, or a male Barbary sheep with horns less than 18 inches long.

F. "Female or immature Persian ibex" or "F/IM" shall mean any female Persian ibex, or a male Persian ibex with horns less than 20 inches long.

G. "Game management units" or "GMUs" shall mean those areas as described in state wildlife commission rule 19.30.4 NMAC, Boundary Descriptions for Game Management Units.

H. "McGregor Range" shall mean all areas within GMU 28.

I. "Off-range" shall mean those areas outside of White

Sands Missile Range, Holloman Air Force Base, Fort Bliss/McGregor Range areas in GMUs 19, 28, and other lands closed to hunting.

J. "Veteran" shall refer to New Mexico resident veteran as described in 19.31.3 NMAC.

K. "White Sands missile range" or "WSMR" shall mean that portion of GMU 19 controlled by the department of defense.

L. "Wildlife management areas" or "WMAs" shall mean those areas as described in state wildlife commission rule 19.34.5 NMAC Wildlife Management Areas. [19.31.12.7 NMAC - Rp, 19.31.12.7 NMAC, 4/1/2027]

19.31.12.8 ADJUSTMENT

OF LICENSES: The director, with the verbal concurrence of the chairperson of the New Mexico state wildlife commission or their designee, may adjust the number of licenses for oryx, Barbary sheep or Persian ibex up or down to address significant changes in population levels or to address critical department management needs. The director may change or cancel all hunts on military lands to accommodate closures on those lands; if changed, the season length and bag limit shall remain the same as assigned on the original hunt code.

[19.31.12.8 NMAC - Rp, 19.31.12.8 NMAC, 4/1/2027]

19.31.12.9 BARBARY SHEEP, ORYX, AND PERSIAN IBEX LICENSE APPLICATION REQUIREMENTS AND RESTRICTIONS:

A. Veteran hunts: It shall be unlawful for anyone who is not qualified for the veteran oryx hunt to apply for or hold a veteran oryx license.

B. Persian ibex once-in-a-lifetime: It shall be unlawful for anyone to apply for a once-in-a-lifetime Persian ibex license if he or she has held a once-in-a-lifetime license to hunt Persian ibex. Persian ibex hunts for population management, incentive hunts, once-

in-a-youth, muzzle-loading rifles, bows, year-round off-mountain hunts, and hunts for female or immature Persian ibex are not considered once-in-a-lifetime and anyone may apply for these hunts or hold these licenses even if they have held a once-in-a-lifetime Persian ibex license.

C. Persian ibex once-in-a-youth: It shall be unlawful for any youth (under age 18) to apply for a once-in-a-youth Persian ibex license if he or she has ever held a Persian ibex youth license.

D. Oryx once-in-a-lifetime: It shall be unlawful, beginning April 1, 1993, for anyone to apply for a once-in-a-lifetime oryx license if he or she has previously held a once-in-a-lifetime license to hunt oryx. Oryx hunts for population management, broken-horned, once-in-a-youth and incentive hunts are not considered once-in-a-lifetime and anyone may apply for these hunts or hold these licenses even if they have held a once-in-a-lifetime license.

E. Oryx once-in-a-youth: It shall be unlawful for any youth (under age 18) to apply for a once-in-a-youth GMU 19 WSMR ES oryx license if he or she has held a once-in-a-youth license.

[19.31.12.9 NMAC - Rp, 19.31.12.9 NMAC, 4/1/2027]

19.31.12.10 POPULATION MANAGEMENT HUNTS:

A. The director or their designee may authorize population management hunts for oryx, Barbary sheep or Persian ibex when justified in writing by department personnel.

B. The director or their designee shall designate the sporting arms, season dates, season lengths, bag limits, hunt boundaries, specific requirements or restrictions, and number of licenses to be issued.

C. In those instances where a population management hunt is warranted on deeded private lands, the landowner may suggest eligible hunters of their choice by submitting a list of prospective hunters' names to the department for licensing consideration. No more than one-half of the total number of licenses

authorized shall be available to landowner identified hunters. The balance of prospective hunters shall be identified by the department. In the event that an applicant is not able to hunt on the dates specified, the applicant's name shall be moved to the bottom of the list and another applicant may be contacted for the hunt.

[19.31.12.10 NMAC - Rp, 19.31.12.11 NMAC, 4/1/2027]

19.31.12.11 BARBARY SHEEP HUNTING SEASONS:

A. Public draw Barbary sheep hunts, listing the open GMUs or areas, eligibility requirements or restrictions, hunt dates, hunt codes, big game sporting arms, number of licenses, and bag limit shall be as indicated below. Public draw Barbary sheep licenses for GMUs 29, 30, 32, 36, and 37 are available only through application in the special entry draw. The department shall issue military-only Barbary sheep hunting licenses for McGregor range to full time military personnel providing a valid access authorization issued by Fort Bliss. All draw Barbary sheep licenses listed in this subsection (with the exception of hunts on McGregor range when the license holder claimed residency as allowed by 17-4-4.A.5 NMSA 1978) shall also be valid for the over-the-counter hunt dates and areas with any big-game sporting arm. Only one Barbary sheep may be taken regardless of the area hunted or license held.

open GMUs or areas	2027-2028 hunt dates	2028-2029 hunt dates	2029-2030 hunt dates	2030-2031 hunt dates	hunt code	licenses	bag limit
32, 36, 37	10/10- 10/16	10/10-10/16	10/10- 10/16	10/10- 10/16	BBY-C32- R1-ES- PUB	50	ES
32, 36, 37	12/4-12/10	12/4-12/10	12/4-12/10	12/4-12/10	BBY-C32- R2-ES- PUB	50	ES
32, 36, 37	12/15- 12/21	12/15-12/21	12/15- 12/21	12/15- 12/21	BBY-C32- R3-ES- PUB	75	ES
32, 36, 37	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	BBY-C32- B1-ES- PUB	75	ES
32, 36, 37	1/20-1/26	1/20-1/26	1/20-1/26	1/20-1/26	BBY-C32- R4-ES- PUB	150	ES
32, 36, 37	2/1-2/7	2/1-2/7	2/1-2/7	2/1-2/7	BBY-C32- R5-ES- PUB	150	ES
32, 36, 37	2/12-2/18	2/12-2/18	2/12-2/18	2/12-2/18	BBY-C32- R6-ES- PUB	150	ES
32, 36, 37	2/21-2/27	2/21-2/27	2/21-2/27	2/21-2/27	BBY-C32- R7-ES- PUB	150	ES
29	10/10- 10/16	10/10-10/16	10/10- 10/16	10/10- 10/16	BBY-29- R1-ES- PUB	25	ES
29	12/4-12/10	12/4-12/10	12/4-12/10	12/4-12/10	BBY-29- R2-ES- PUB	25	ES
29	12/15- 12/21	12/15-12/21	12/15- 12/21	12/15- 12/21	BBY-29- R3-ES- PUB	25	ES
29	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	BBY-29- B1-ES- PUB	25	ES

29	1/20-1/26	1/20-1/26	1/20-1/26	1/20-1/26	BBY-29-R4-ES-PUB	75	ES
29	2/1-2/7	2/1-2/7	2/1-2/7	2/1-2/7	BBY-29-R5-ES-PUB	75	ES
29	2/12-2/18	2/12-2/18	2/12-2/18	2/12-2/18	BBY-29-R6-ES-PUB	75	ES
29	2/21-2/27	2/21-2/27	2/21-2/27	2/21-2/27	BBY-29-R7-ES-PUB	75	ES
30	10/10-10/16	10/10-10/16	10/10-10/16	10/10-10/16	BBY-30-R1-ES-PUB	50	ES
30	12/4-12/10	12/4-12/10	12/4-12/10	12/4-12/10	BBY-30-R2-ES-PUB	50	ES
30	12/15-12/21	12/15-12/21	12/15-12/21	12/15-12/21	BBY-30-R3-ES-PUB	50	ES
30	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	BBY-30-B1-ES-PUB	50	ES
30	1/20-1/26	1/20-1/26	1/20-1/26	1/20-1/26	BBY-30-R4-ES-PUB	125	ES
30	2/1-2/7	2/1-2/7	2/1-2/7	2/1-2/7	BBY-30-R5-ES-PUB	125	ES
30	2/12-2/18	2/12-2/18	2/12-2/18	2/12-2/18	BBY-30-R6-ES-PUB	125	ES
30	2/21-2/27	2/21-2/27	2/21-2/27	2/21-2/27	BBY-30-R7-ES-PUB	125	ES
28 McGregor range	12/11-12/15	12/9-12/13	12/8-12/12	12/7-12/11	BBY-28-R1-ES-PUB	20	ES
28 McGregor range, military only	12/11-12/15	12/9-12/13	12/8-12/12	12/7-12/11	BBY-28-R1-ES-MIL	20	ES
28 McGregor range	1/1-1/31	1/1-1/31	1/1-1/31	1/1-1/31	BBY-28-R2-F/IM-PUB	45	F/IM
28 McGregor range, military only	2/1-2/28	2/1-2/29	2/1-2/28	2/1-2/28	BBY-28-R2-F/IM-MIL	45	F/IM
28 McGregor range	3/1-3/31	3/1-3/31	3/1-3/31	3/1-3/31	BBY-28-R3-F/IM-PUB	30	F/IM

28 McGregor range, military only	3/1-3/31	3/1-3/31	3/1-3/31	3/1-3/31	BBY-28- R3-F/IM- MIL	30	F/IM
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B. Private land-only hunts:

(1) Ranch registration requirement: Private lands that lie within GMUs below must register to receive a ranch code. Enrollment process:

(a) Land ownership documentation will be required that will verify the ranch lies within valid GMUs.

(b) Requests for a ranch code may be submitted to the department at any time.

(c) Ranch ownership must be affirmed on an annual basis.

(d) Ranches within these GMUs will be issued a ranch code annually to identify individual ownership.

(e) A ranch code will be required to purchase a private land barbary sheep license for a specific ranch.

(f) All licenses require written permission and shall be valid only on the specified property and transferrable with written permission to other private lands within the specified GMU. Written permission requirements for access on private property will follow the provisions found in 19.31.10 NMAC.

(2) License restrictions: Private land-only licenses for GMUs 29, 30, 32, 36, and 37 shall be valid only on deeded private lands and shall be restricted to the area or GMU, hunt dates, eligibility requirements or restrictions, big game sporting arms type, and bag limit listed below for the GMU where the private landowner's property lies. Private land-only Barbary sheep licenses shall be unlimited and available from any license vendor and the department's web site. All private-land Barbary sheep licenses listed in this subsection shall also be valid for the over-the-counter hunt listed in 19.31.12.11.C. Only one Barbary sheep may be taken regardless of the area hunted or license held.

open GMUs or areas	2027-2028 hunt dates	2028-2029 hunt dates	2029-2030 hunt dates	2030-2031 hunt dates	hunt code	licenses	bag limit
29, Private land only	10/10- 10/16	10/10- 10/16	10/10- 10/16	10/10- 10/16	BBY-29- R1-ES- PVT	unlimited	ES
	12/4-12/10	12/4-12/10	12/4-12/10	12/4-12/10	BBY-29- R2-ES- PVT	unlimited	ES
	12/15- 12/21	12/15- 12/21	12/15- 12/21	12/15- 12/21	BBY-29- R3-ES- PVT	unlimited	ES
	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	BBY-29- B1-ES- PVT	unlimited	ES
	1/20-1/26	1/20-1/26	1/20-1/26	1/20-1/26	BBY-29- R4-ES- PVT	unlimited	ES
	2/1-2/7	2/1-2/7	2/1-2/7	2/1-2/7	BBY-29- R5-ES- PVT	unlimited	ES
	2/12-2/18	2/12-2/18	2/12-2/18	2/12-2/18	BBY-29- R6-ES- PVT	unlimited	ES
	2/21-2/27	2/21-2/27	2/21-2/27	2/21-2/27	BBY-29- R7-ES- PVT	unlimited	ES

30, Private land only	10/10-10/16	10/10-10/16	10/10-10/16	10/10-10/16	BBY-30-R1-ES-PVT	unlimited	ES
	12/4-12/10	12/4-12/10	12/4-12/10	12/4-12/10	BBY-30-R2-ES-PVT	unlimited	ES
	12/15-12/21	12/15-12/21	12/15-12/21	12/15-12/21	BBY-30-R3-ES-PVT	unlimited	ES
	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	BBY-30-B1-ES-PVT	unlimited	ES
	1/20-1/26	1/20-1/26	1/20-1/26	1/20-1/26	BBY-30-R4-ES-PVT	unlimited	ES
	2/1-2/7	2/1-2/7	2/1-2/7	2/1-2/7	BBY-30-R5-ES-PVT	unlimited	ES
	2/12-2/18	2/12-2/18	2/12-2/18	2/12-2/18	BBY-30-R6-ES-PVT	unlimited	ES
	2/21-2/27	2/21-2/27	2/21-2/27	2/21-2/27	BBY-30-R7-ES-PVT	unlimited	ES
32, Private land only	10/10-10/16	10/10-10/16	10/10-10/16	10/10-10/16	BBY-32-R1-ES-PVT	unlimited	ES
	12/4-12/10	12/4-12/10	12/4-12/10	12/4-12/10	BBY-32-R2-ES-PVT	unlimited	ES
	12/15-12/21	12/15-12/21	12/15-12/21	12/15-12/21	BBY-32-R3-ES-PVT	unlimited	ES
	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	BBY-32-B1-ES-PVT	unlimited	ES
	1/20-1/26	1/20-1/26	1/20-1/26	1/20-1/26	BBY-32-R4-ES-PVT	unlimited	ES
	2/1-2/7	2/1-2/7	2/1-2/7	2/1-2/7	BBY-32-R5-ES-PVT	unlimited	ES
	2/12-2/18	2/12-2/18	2/12-2/18	2/12-2/18	BBY-32-R6-ES-PVT	unlimited	ES
	2/21-2/27	2/21-2/27	2/21-2/27	2/21-2/27	BBY-32-R7-ES-PVT	unlimited	ES

36, Private land only	10/10-10/16	10/10-10/16	10/10-10/16	10/10-10/16	BBY-36-R1-ES-PVT	unlimited	ES
	12/4-12/10	12/4-12/10	12/4-12/10	12/4-12/10	BBY-36-R2-ES-PVT	unlimited	ES
	12/15-12/21	12/15-12/21	12/15-12/21	12/15-12/21	BBY-36-R3-ES-PVT	unlimited	ES
	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	BBY-36-B1-ES-PVT	unlimited	ES
	1/20-1/26	1/20-1/26	1/20-1/26	1/20-1/26	BBY-36-R4-ES-PVT	unlimited	ES
	2/1-2/7	2/1-2/7	2/1-2/7	2/1-2/7	BBY-36-R5-ES-PVT	unlimited	ES
	2/12-2/18	2/12-2/18	2/12-2/18	2/12-2/18	BBY-36-R6-ES-PVT	unlimited	ES
	2/21-2/27	2/21-2/27	2/21-2/27	2/21-2/27	BBY-36-R7-ES-PVT	unlimited	ES
37, Private land only	10/10-10/16	10/10-10/16	10/10-10/16	10/10-10/16	BBY-37-R1-ES-PVT	unlimited	ES
	12/4-12/10	12/4-12/10	12/4-12/10	12/4-12/10	BBY-37-R2-ES-PVT	unlimited	ES
	12/15-12/21	12/15-12/21	12/15-12/21	12/15-12/21	BBY-37-R3-ES-PVT	unlimited	ES
	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	BBY-37-B1-ES-PVT	unlimited	ES
	1/20-1/26	1/20-1/26	1/20-1/26	1/20-1/26	BBY-37-R4-ES-PVT	unlimited	ES
	2/1-2/7	2/1-2/7	2/1-2/7	2/1-2/7	BBY-37-R5-ES-PVT	unlimited	ES
	2/12-2/18	2/12-2/18	2/12-2/18	2/12-2/18	BBY-37-R6-ES-PVT	unlimited	ES
	2/21-2/27	2/21-2/27	2/21-2/27	2/21-2/27	BBY-37-R7-ES-PVT	unlimited	ES

C. Over-the-counter hunt: The hunt area shall be statewide except on WMAs during closures, WSMR, Fort Bliss portions of GMU 19 and the draw areas of GMUs 28, 29, 30, 32, 36 and 37.

open GMUs or areas	2027-2028 hunt dates	2028-2029 hunt dates	2029-2030 hunt dates	2030-2031 hunt dates	hunt code	licenses	bag limit
statewide, restrictions listed above	4/1-3/31	4/1-3/31	4/1-3/31	4/1-3/31	BBY-OTC-R1-ES-PUB	unlimited	ES

[19.31.12.11 NMAC - Rp, 19.31.12.12 NMAC, 4/1/2027]

19.31.12.12 ORYX HUNTING SEASONS:

A. Oryx once-in-a-lifetime and once-in-a-youth hunts for any big game sporting arms type-shall be as indicated below, listing the open GMUs or areas, eligibility requirements or restrictions, hunt dates, hunt codes, number of licenses and bag limit.

open GMUs or areas	2027-2028 hunt dates	2028-2029 hunt dates	2029-2030 hunt dates	2030-2031 hunt dates	hunt code	licenses	bag limit
19 WSMR	9/17-9/19	9/15-9/17	9/14-9/16	9/13-9/15	ORX-19W-R1-ES-PUB	70	ES
19 WSMR	10/15-10/17	10/13-10/15	10/12-10/14	10/11-10/13	ORX-19W-R2-ES-PUB	70	ES
19 WSMR	10/29-10/31	10/27-10/29	10/26-10/28	10/25-10/27	ORX-19W-R1-ES-PUB	70	ES
19 WSMR, veteran	11/12-11/14	11/10-11/12	11/9-11/11	11/8-11/10	ORX-19W-R3-ES-VET	75	ES
19 WSMR	1/7-1/9	1/5-1/7	1/4-1/6	1/3-1/5	ORX-19W-R4-ES-PUB	70	ES
19 WSMR	1/21-1/23	1/19-1/21	1/18-1/20	1/17-1/19	ORX-19W-R5-ES-PUB	70	ES
19 WSMR	2/4-2/6	2/2-2/4	2/1-2/3	1/31-2/2	ORX-19W-R6-ES-PUB	70	ES
19 WSMR	2/18-2/20	2/16-2/18	2/15-2/17	2/14-2/16	ORX-19W-R7-ES-PUB	70	ES
19 WSMR	3/3-3/5	3/2-3/4	3/1-3/3	2/28-3/2	ORX-19W-R8-ES-PUB	70	ES
19 WSMR	3/17-3/19	3/16-3/18	3/15-3/17	3/14-3/16	ORX-19W-R9-ES-PUB	70	ES
19 WSMR, mobility impaired	10/1-10/3	9/29-10/1	9/28-9/30	9/27-9/29	ORX-19W-R1-ES-MOB	20	ES
19 WSMR, once-in-a-youth	10/1-10/3	9/29-10/1	9/28-9/30	9/27-9/29	ORX-19W-R1-ES-YTH	40	ES

B. Oryx broken-horned on-range hunts for any legal weapon shall be as indicated below, listing the hunt dates, hunt codes, number of licenses and bag limit.

open GMUs or areas	2027-2028 hunt dates	2028-2029 hunt dates	2029-2030 hunt dates	2030-2031 hunt dates	hunt code	licenses	bag limit
19 WSMR	9/17-9/19	9/15-9/17	9/14-9/16	9/13-9/15	ORX-19W-R1-BHO-PUB	15	BHO
19 WSMR	10/15-10/17	10/13-10/15	10/12-10/14	10/11-10/13	ORX-19W-R2-BHO-PUB	15	BHO

19 WSMR	10/29-10/31	10/27-10/29	10/26-10/28	10/25-10/27	ORX-19W-R3-BHO-PUB	15	BHO
19 WSMR	1/7-1/9	1/5-1/7	1/4-1/6	1/3-1/5	ORX-19W-R4-BHO-PUB	15	BHO
19 WSMR	1/21-1/23	1/19-1/21	1/18-1/20	1/17-1/19	ORX-19W-R5-BHO-PUB	15	BHO
19 WSMR	2/4-2/6	2/2-2/4	2/1-2/3	1/31-2/2	ORX-19W-R6-BHO-PUB	15	BHO
19 WSMR	2/18-2/20	2/16-2/18	2/15-2/17	2/14-2/16	ORX-19W-R7-BHO-PUB	15	BHO
19 WSMR	3/3-3/5	3/2-3/4	3/1-3/3	2/28-3/2	ORX-19W-R8-BHO-PUB	15	BHO
19 WSMR	3/17-3/19	3/16-3/18	3/15-3/17	3/14-3/16	ORX-19W-R9-BHO-PUB	15	BHO

C. **Off-range oryx hunts or hunts on McGregor Range** shall be as indicated below, listing the open GMUs or areas, eligibility requirements or restrictions, hunt dates, hunt codes, number of licenses and bag limit. The department shall issue military only oryx hunting licenses for McGregor range to full time military personnel providing a valid access authorization issued by Fort Bliss (McGregor range, military only).

open GMUs or areas	2027-2028 hunt dates	2028-2029 hunt dates	2029-2030 hunt dates	2030-2031 hunt dates	hunt code	licenses	bag limit
statewide, off-range	6/1-6/30	6/1-6/30	6/1-6/30	6/1-6/30	ORX-STW-R1-ES-PUB	101	ES
statewide, off-range, youth only	6/1-6/30	6/1-6/30	6/1-6/30	6/1-6/30	ORX-STW-R1-ES-YTH	25	ES
statewide, off-range	7/1-7/31	7/1-7/31	7/1-7/31	7/1-7/31	ORX-STW-R2-ES-PUB	101	ES
statewide, off-range, youth only	7/1-7/31	7/1-7/31	7/1-7/31	7/1-7/31	ORX-STW-R2-ES-YTH	25	ES
statewide, off-range	8/1-8/31	8/1-8/31	8/1-8/31	8/1-8/31	ORX-STW-R3-ES-PUB	101	ES
statewide, off-range, youth only	8/1-8/31	8/1-8/31	8/1-8/31	8/1-8/31	ORX-STW-R3-ES-YTH	25	ES
statewide, off-range	9/1-9/30	9/1-9/30	9/1-9/30	9/1-9/30	ORX-STW-R4-ES-PUB	101	ES
statewide, off-range, youth only	9/1-9/30	9/1-9/30	9/1-9/30	9/1-9/30	ORX-STW-R4-ES-YTH	25	ES
statewide, off-range	10/1-10/31	10/1-10/31	10/1-10/31	10/1-10/31	ORX-STW-R5-ES-PUB	101	ES
statewide, off-range, youth only	10/1-10/31	10/1-10/31	10/1-10/31	10/1-10/31	ORX-STW-R5-ES-YTH	25	ES

statewide, off-range	11/1-11/30	11/1-11/30	11/1-11/30	11/1-11/30	ORX-STW-R6-ES-PUB	101	ES
statewide, off-range, youth only	11/1-11/30	11/1-11/30	11/1-11/30	11/1-11/30	ORX-STW-R6-ES-YTH	25	ES
statewide, off-range	12/1-12/31	12/1-12/31	12/1-12/31	12/1-12/31	ORX-STW-R7-ES-PUB	101	ES
statewide, off-range, youth only	12/1-12/31	12/1-12/31	12/1-12/31	12/1-12/31	ORX-STW-R7-ES-YTH	25	ES
statewide, off-range	1/1-1/31	1/1-1/31	1/1-1/31	1/1-1/31	ORX-STW-R8-ES-PUB	101	ES
statewide, off-range, youth only	1/1-1/31	1/1-1/31	1/1-1/31	1/1-1/31	ORX-STW-R8-ES-YTH	25	ES
statewide, off-range	2/1-2/29	2/1-2/28	2/1-2/28	2/1-2/28	ORX-STW-R9-ES-PUB	110	ES
statewide, off-range, youth only	2/1-2/29	2/1-2/28	2/1-2/28	2/1-2/28	ORX-STW-R9-ES-YTH	30	ES
statewide, off-range	3/1-3/31	3/1-3/31	3/1-3/31	3/1-3/31	ORX-STW-R10-ES-PUB	101	ES
statewide, off-range, youth only	3/1-3/31	3/1-3/31	3/1-3/31	3/1-3/31	ORX-STW-R10-ES-YTH	25	ES
28 McGregor range	12/18-12/19	12/16-12/17	12/15-12/16	12/21-12/22	ORX-28-R1-ES-PUB	25	ES
28 McGregor range, military only	12/18-12/19	12/16-12/17	12/15-12/16	12/21-12/22	ORX-28-R1-ES-MIL	25	ES
28 McGregor range	1/15-1/17	1/13-1/15	1/19-1/21	1/18-1/20	ORX-28-R2-ES-PUB	25	ES
28 McGregor range, military only	1/15-1/17	1/13-1/15	1/19-1/21	1/18-1/20	ORX-28-R2-ES-MIL	25	ES

D. Private land-only hunts:**(1) Ranch registration requirement:** Private lands must register to receive a ranch code.

Enrollment process:

(a) Land ownership documentation will be required that will verify the ranch lies within valid GMUs.

(b) Requests for a ranch code may be submitted to the department at any time.

(c) Ranch ownership must be affirmed on an annual basis.

(d) Ranches within these GMUs will be issued a ranch code annually to identify individual ownership.

(e) A ranch code will be required to purchase a private land oryx license for a specific ranch.

(f) All licenses require written permission and shall be valid only on the specified property and transferrable with written permission to other private lands within the specified GMU. Written permission requirements for access on private property will follow the provisions found in 19.31.10 NMAC.

(2) License restrictions: Private land-only oryx licenses shall be valid only on deeded private land as indicated below listing the season dates, eligibility requirements or restrictions, sporting arms type, and bag limit. The number of private land-only oryx licenses shall be unlimited.

open GMUs or areas	2027-2028 hunt dates	2028-2029 hunt dates	2029-2030 hunt dates	2030-2031 hunt dates	hunt code	bag limit
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statewide, private land	4/1-4/30	4/1-4/30	4/1-4/30	4/1-4/30	ORX-STW-R1-ES-PVT	ES
	5/1-5/31	5/1-5/31	5/1-5/31	5/1-5/31	ORX-STW-R2-ES-PVT	ES
	6/1-6/30	6/1-6/30	6/1-6/30	6/1-6/30	ORX-STW-R3-ES-PVT	ES
	7/1-7/31	7/1-7/31	7/1-7/31	7/1-7/31	ORX-STW-R4-ES-PVT	ES
	8/1-8/31	8/1-8/31	8/1-8/31	8/1-8/31	ORX-STW-R5-ES-PVT	ES
	9/1-9/30	9/1-9/30	9/1-9/30	9/1-9/30	ORX-STW-R6-ES-PVT	ES
	10/1-10/31	10/1-10/31	10/1-10/31	10/1-10/31	ORX-STW-R7-ES-PVT	ES
	11/1-11/30	11/1-11/30	11/1-11/30	11/1-11/30	ORX-STW-R8-ES-PVT	ES
	12/1-12/31	12/1-12/31	12/1-12/31	12/1-12/31	ORX-STW-R9-ES-PVT	ES
	1/1-1/31	1/1-1/31	1/1-1/31	1/1-1/31	ORX-STW-R10-ES-PVT	ES
	2/1-2/28	2/1-2/29	2/1-2/28	2/1-2/28	ORX-STW-R11-ES-PVT	ES
	3/1-3/31	3/1-3/31	3/1-3/31	3/1-3/31	ORX-STW-R12-ES-PVT	ES

E. Oryx incentive authorizations: The director may annually allow up to two oryx authorizations to be issued by drawing for deer and elk hunters submitting their legally harvested animal for CWD testing. Authorizations to purchase the license may be used either by the applicant or any individual of the selected applicant's choice and may be transferred through sale, barter, or gift. Oryx incentive hunts shall be any one hunt selected from Subsection A of Section 19.31.12.12 NMAC. Bag limit shall be either sex with any legal sporting arms and hunt area of the selected hunt.

F. Oryx hunt for injured service men and women: The department shall annually issue up to 10 authorizations for hunting by injured service men and women on White Sands missile range. The director shall determine the procedures for issuing the authorizations, and the dates for each hunt.
[19.31.12.12 NMAC - Rp, 19.31.12.13 NMAC, 4/1/2027]

19.31.12.13 PERSIAN IBEX HUNTING SEASONS: Persian ibex hunts shall be as indicated below, listing the open GMUs or areas, eligibility requirements or restrictions, hunt dates, hunt codes, number of licenses and bag limit. Holders of the off-mountain license (IBX-OTC-R1-ES-PUB) may apply for any Florida mountains ibex hunt unless otherwise restricted by rule. Any valid Persian ibex license shall be valid during the off-mountain (IBX-OTC-R1-ES-PUB) hunts. Holders of a valid ibex license may take an unlimited number of ibex for the year-long off-mountain hunt. The Florida mountain hunt area is that portion of GMU 25 bounded by interstate 10 on the north, U.S.-Mexico border on the south, NM 11 on the west and the Dona Ana-Luna county line on the east. The year-long off-mountain hunt area is any public land open for hunting and private lands with written permission outside the Florida mountain hunt area.

open GMUs or areas	2027-2028 hunt dates	2028-2029 hunt dates	2029-2030 hunt dates	2030-2031 hunt dates	hunt code	licenses	bag limit
25 Florida mountains	10/1-10/15	10/1-10/15	10/1-10/15	10/1-10/15	IBX-25-B1-ES-PUB	up to 20	ES
25 Florida mountains, once-in-a-lifetime	11/15-11/29	11/15-11/29	11/15-11/29	11/15-11/29	IBX-25-R1-ES-PUB	up to 15	ES

25 Florida mountains	12/11-12/15	12/9-12/13	12/8-12/12	12/14-12/18	IBX-25-R1-F/IM-PUB	up to 20	F/IM
25 Florida mountains, once-in-a-youth	12/27/2027-1/10/2028	12/27/2028-1/10/2029	12/27/2029-1/10/2030	12/27/2030-1/10/2031	IBX-25-R1-ES-YTH	up to 5	ES
25 Florida mountains	1/15-1/29	1/15-1/29	1/15-1/29	1/15-1/29	IBX-25-B2-ES-PUB	up to 20	ES
25 Florida mountains	2/5-2/9	2/3-2/7	2/2-2/6	2/1-2/5	IBX-25-R2-F/IM-PUB	up to 20	F/IM
25 Florida mountains	2/19-2/23	2/17-2/21	2/16-2/20	2/15-2/19	IBX-25-M1-ES-PUB	up to 15	ES
Statewide, off-mountain, over-the-counter	4/1/2027-3/31/2028	4/1/2028-3/31/2029	4/1/2029-3/31/2030	4/1/2030-3/31/2031	IBX-OTC-R1-ES-PUB	up to unlimited	ES

[19.31.12.13 NMAC - Rp, 19.31.12.14 NMAC, 4/1/2027]

HISTORY OF 19.31.12 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives under: Regulation No. 482, Establishing Seasons On Deer, Bear, Turkey, Elk, Antelope, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, And Barbary Sheep, filed 5/31/1967; Regulation No. 487, Establishing 1967 Seasons On Javelina And Barbary Sheep, filed 12/15/1967; Regulation No. 489, Establishing Turkey Seasons For The Spring Of 1968, filed 3/1/1968; Regulation No. 491, Establishing Big Game Seasons For 1968 For Jicarilla Reservation, filed 3/1/1968; Regulation No. 492, Establishing Seasons On Deer, Bear, Turkey, Elk, Antelope, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, And Barbary Sheep, filed 6/6/1968; Regulation No. 495, Establishing A Season On Bighorn Sheep, filed 10/2/1968; Regulation No. 496, Establishing An Elk Season In The Tres Piedras Area, Elk Area P-6, filed 12/11/1968; Regulation No. 502, Establishing Turkey Seasons For The Spring Of 1969, filed 3/5/1969;

Regulation No. 503, Establishing 1969 Deer Seasons For Bowhunting Only And Big Game Seasons For The Jicarilla Indian Reservation, filed 3/5/1969; Regulation 504, Establishing Seasons on Deer, Bear, Turkey, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, And Barbary Sheep, filed 6/4/1969; Regulation No. 507, Establishing A Season On Bighorn Sheep, filed 8/26/1969; Regulation No. 512, Establishing Turkey Season For The Spring Of 1970, filed 2/20/1970; Regulation No. 513, Establishing Deer Season For Bowhunting Only In Sandia State Game Refuge, filed 2/20/1970; Regulation No. 514, Establishing Seasons On Deer, Bear, Turkey, Elk, Antelope, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Barbary Sheep And Bighorn Sheep, filed 6/9/1970; Regulation No 520, Establishing Turkey Seasons For The Spring Of 1971, filed 3/9/1971; Regulation No. 522, Establishing 1971 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 3/9/1971; Regulation No. 523, Establishing

Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Elk, Antelope, Barbary Sheep And Bighorn Sheep, filed 6/9/1971; Regulation No. 531, Establishing A Season On Javelina, filed 12/17/1971; Regulation No. 532, Establishing Turkey Seasons For The Spring Of 1972, filed 3/20/1972; Regulation No. 534, Establishing 1972 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 3/20/1972; Regulation No. 536, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, Elk, Antelope, Barbary Sheep And Bighorn Sheep, filed 6/26/1972; Regulation No. 542, Establishing A Season On Javelina, filed 12/1/1972; Regulation No. 545, Establishing Turkey Seasons For The Spring Of 1973, filed 2/26/1973; Regulation No. 546, Establishing 1973 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 2/26/1973; Regulation No. 547, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, Elk,

Antelope, Barbary Sheep And Bighorn Sheep, And Javelina, filed 5/31/1973;
 Regulation No. 554, Establishing Special Turkey Seasons For The Spring of 1974, filed 3/4/1974;
 Regulation No. 556, Establishing 1974 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 3/14/1974;
 Regulation No. 558, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx, And Ibex, filed 5/29/1974;
 Regulation No. 565, Establishing Special Turkey Seasons For The Spring Of 1975, filed 3/24/1975;
 Regulation No. 567, Establishing 1975 Seasons On Deer, Bear, And Turkey On The Jicarilla Apache And Navajo Indian Reservations And On Elk On The Jicarilla Apache Indian Reservation, filed 3/24/1975;
 Regulation No. 568, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 6/25/1975;
 Regulation No. 573, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/23/1976;
 Regulation No. 583, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/11/1977;
 Regulation No. 590, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/15/1978;
 Regulation No. 596, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/23/1979;
 Regulation No. 603, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary

Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1980 through March 31, 1981, filed 2/22/1980;
 Regulation No. 609, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1981 through March 31, 1982, filed 3/17/1981;
 Regulation No. 614, Establishing Open Seasons On Deer, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1982 through March 31, 1983, filed 3/10/1982;
 Regulation No. 622, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1983 through March 31, 1984, filed 3/9/1983;
 Regulation No. 628, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1984 through March 31, 1985, filed 4/2/1984;
 Regulation No. 634, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1985 Through March 31, 1986, filed 4/18/1985;
 Regulation No. 640, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1986 through March 31, 1987, filed 3/25/1986;
 Regulation No. 645, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1987 through March 31, 1988, filed 2/12/1987;
 Regulation No. 653, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1,

1988 through March 31, 1989, filed 12/18/1987;
 Regulation No. 663, Establishing Opening Spring Turkey For The Period April 1, 1989 through March 31, 1990, filed 3/28/89;
 Regulation No. 664, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1989 through March 31, 1990, filed 3/20/1989;
 Regulation No. 674, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1990 through March 31, 1991, filed 11/21/1989;
 Regulation No. 683, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx, And Ibex For The Period April 1, 1991 through March 31, 1992, filed 2/8/1991;
 Regulation No. 689, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx, And Ibex For The Period April 1, 1992 through March 31, 1993, filed 3/4/1992;
 Regulation No. 700, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx, And Ibex For The Period April 1, 1993 through March 31, 1995, filed 3/11/1993.

History of Repealed Material:

19.31.8 NMAC, Big Game, filed 3/1/2001 - duration expired 3/31/2003.
 19.31.8 NMAC, Big Game and Turkey, filed 3/3/2003 - duration expired 3/31/2005.
 19.31.8 NMAC, Big Game and Turkey, filed 12/15/2004 - duration expired 3/31/2007.
 19.31.12 NMAC, Barbary Sheep, Oryx and Persian Ibex, filed 12/1/2006 - duration expired 3/31/2009.
 19.31.12 NMAC, Barbary Sheep, Oryx and Persian Ibex, filed

3/13/2009 - duration expired
3/31/2011.
19.31.12 NMAC, Barbary Sheep,
Oryx and Persian Ibex, filed 12/16-
/2013 - duration expired 3/31/2015.
19.31.12 NMAC, Barbary Sheep,
Oryx and Persian Ibex, filed
3/17/2015, repealed 3/31/2016.
19.31.12 NMAC, Barbary Sheep,
Oryx and Persian Ibex, filed
2/29/2016, duration expired
3/31/2019.
19.31.12 NMAC, Barbary Sheep,
Oryx and Persian Ibex, filed
8/31/2018, duration expired
3/31/2023.
19.31.12 NMAC, Barbary Sheep,
Oryx and Persian Ibex, filed
7/27/2022, duration expired
3/31/2027.

End of Adopted Rules

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Submittal Deadlines and Publication Dates

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Issue 3	January 29	February 10
Issue 4	February 12	February 24
Issue 5	February 26	March 10
Issue 6	March 12	March 24
Issue 7	March 26	April 7
Issue 8	April 9	April 21
Issue 9	April 23	May 5
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Issue 24	December 10	December 22

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