



The Legislature  
of the  
State of New Mexico

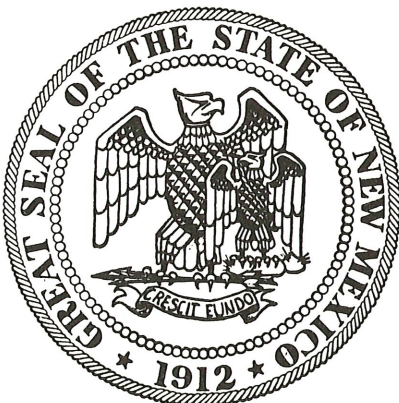
57th Legislature, 1st Session

LAWS 2025

CHAPTER 70

SENATE TAX, BUSINESS AND TRANSPORTATION COMMITTEE SUBSTITUTE FOR  
SENATE BILL 169, as amended

Introduced by



# CHAPTER 70

## AN ACT

RELATING TO ECONOMIC DEVELOPMENT; ENACTING THE STRATEGIC  
ECONOMIC DEVELOPMENT SITE READINESS ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. SHORT TITLE.--This act may be cited as the  
"Strategic Economic Development Site Readiness Act".

SECTION 2. DEFINITIONS.--As used in the Strategic  
Economic Development Site Readiness Act:

A. "department" means the economic development  
department;

B. "private partner" means an individual, a  
foreign or domestic corporation, a general partnership, a  
limited liability company, a limited partnership, a joint  
venture, a business trust, a public benefit corporation, a  
nonprofit entity or other private business entity or a  
combination thereof;

C. "public partner" means the state and the  
state's branches, agencies, departments, boards,  
instrumentalities or institutions and all political  
subdivisions of the state and their agencies,  
instrumentalities and institutions, including a department,  
an institution of higher education, a board or a commission,  
and includes Indian nations, tribes and pueblos; and

D. "secretary" means the secretary of economic

1 development.

2 SECTION 3. SITE CHARACTERIZATION STUDIES.--

3 A. The department may enter into contracts with  
4 public partners and private partners for site  
5 characterization studies of proposed economic development  
6 sites to determine the suitability of such sites for  
7 certification as a strategic economic development site.

8 B. The secretary shall accept for consideration  
9 proposals for site characterization studies of proposed  
10 economic development sites and shall decide if a proposed  
11 economic development site will be the subject of a site  
12 characterization study pursuant to Subsection A of this  
13 section.

14 C. A site characterization study shall assess the  
15 suitability of a proposed economic development site for  
16 development by a public partner or private partner and may  
17 consider the following characteristics:

18 (1) the availability of public  
19 infrastructure, including transportation access, water and  
20 wastewater;

21 (2) the availability of public utilities,  
22 including electricity, natural gas and broadband access;

23 (3) environmental limitations;

24 (4) size, configuration, topography, soils  
25 and drainage;

- 1 (5) workforce availability;
- 2 (6) housing availability;
- 3 (7) governmental land use restrictions;
- 4 (8) site ownership;
- 5 (9) neighboring land uses; and
- 6 (10) any other site characteristics that may
- 7 affect the degree to which the site is ready for immediate
- 8 economic development.

9 SECTION 4. STRATEGIC ECONOMIC DEVELOPMENT SITE ADVISORY  
10 COMMITTEE--CREATED--MEMBERSHIP.--

11 A. The "strategic economic development site  
12 advisory committee" is created. The department shall provide  
13 necessary administrative services to the committee.

14 B. The strategic economic development site  
15 advisory committee is composed of:

16 (1) the secretary of energy, minerals and  
17 natural resources or the secretary's designee;

18 (2) the secretary of environment or the  
19 secretary's designee;

20 (3) a representative of the public  
21 regulation commission appointed by the commission;

22 (4) the secretary of transportation or the  
23 secretary's designee;

24 (5) the chief executive officer of the  
25 New Mexico finance authority or the chief executive officer's

1 designee;

2 (6) the director of the economic development  
3 division of the department; and

4 (7) five public members appointed by the  
5 New Mexico legislative council who shall have experience in  
6 law, architecture, planning, utilities, transportation or  
7 economic development.

8 C. The public members appointed initially shall  
9 draw lots for staggered terms in such a way that two members  
10 shall serve for six years, two members shall serve for four  
11 years and one member shall serve for two years. Thereafter,  
12 the public members shall serve for six-year terms. A vacancy  
13 in a term of a public member of the strategic economic  
14 development site advisory committee shall be filled by the  
15 New Mexico legislative council for the remainder of the  
16 original term.

17 D. The members shall select a chair, who shall be  
18 a public member and who shall serve a term of two years.

19 E. Members who are not public employees are  
20 entitled to per diem and mileage as provided in the Per Diem  
21 and Mileage Act but shall receive no other compensation,  
22 perquisite or allowance.

23 F. A member of the strategic economic development  
24 site advisory committee shall not participate in or influence  
25 a decision by the committee in which that member has a

1 conflict of interest, pecuniary interest or other  
2 disqualifying interest regarding a proposed strategic  
3 economic development site. All members of the committee  
4 shall certify annually and in writing compliance with this  
5 subsection.

6 SECTION 5. STRATEGIC ECONOMIC DEVELOPMENT SITE ADVISORY  
7 COMMITTEE--DUTIES.--The strategic economic development site  
8 advisory committee has the following duties:

9 A. meet quarterly and at such other times as  
10 deemed necessary by the chair;

11 B. review and recommend the designation of  
12 proposed strategic economic development sites;

13 C. recommend approval or disapproval of  
14 applications for grants and loans from the site readiness  
15 fund, the public project revolving fund and other potential  
16 funding sources;

17 D. recommend the promulgation of rules  
18 establishing the application process and criteria for the  
19 approval of strategic economic development sites in  
20 accordance with the provisions of the State Rules Act; and

21 E. consult with state agencies and county and  
22 local governments on technical issues relevant to the  
23 committee's consideration of proposed strategic economic  
24 development sites and applications for grants and loans from  
25 the site readiness fund.

1           SECTION 6. STRATEGIC ECONOMIC DEVELOPMENT SITES--  
2 DESIGNATION--IMPLEMENTATION.--

3           A. The secretary shall review site  
4 characterization studies conducted pursuant to Section 3 of  
5 the Strategic Economic Development Site Readiness Act and  
6 shall determine, after consideration of the recommendations  
7 of the strategic economic development site advisory  
8 committee:

9                   (1) whether there needs to be further study  
10 of the characteristics of proposed economic development  
11 sites; or

12                   (2) whether the proposed economic  
13 development site should be designated as a strategic economic  
14 development site.

15           B. Upon designation as a strategic economic  
16 development site, the secretary may solicit proposals from  
17 public partners and private partners for site pre-development  
18 projects that will enhance the readiness of the strategic  
19 economic development site. Site pre-development projects may  
20 include:

21                   (1) surveying, engineering, planning and  
22 architectural work required in advance of construction on  
23 site development and building construction;

24                   (2) environmental assessments and  
25 remediation;

1 (3) public infrastructure improvements  
2 necessary prior to the start of site development and building  
3 construction, including roads and utilities;

4 (4) site preparation, including landscaping  
5 and drainage improvements; and

6 (5) governmental permitting.

7 C. The secretary shall review proposals from  
8 public partners and private partners for site pre-development  
9 projects and shall determine, after consideration of the  
10 recommendations of the strategic economic development site  
11 advisory committee, which proposed site pre-development  
12 projects could be funded in whole or in part by grants and  
13 loans from the site readiness fund or should be recommended  
14 for funding from the public project revolving fund or other  
15 funding resources.

16 SECTION 7. SITE READINESS FUND--CREATED.--

17 A. The "site readiness fund" is created in the  
18 state treasury. The fund consists of appropriations, gifts,  
19 grants, donations, income from investment of the fund,  
20 payments of principal and interest on loans made from the  
21 fund and any other money distributed or otherwise allocated  
22 to the fund. Income from the fund shall be credited to the  
23 fund. Money in the fund shall not revert or be transferred  
24 to any other fund at the end of a fiscal year.

25 B. The department shall administer the site



1 readiness fund. Money in the fund is appropriated to the  
2 department for the purposes of carrying out the provisions of  
3 the Strategic Economic Development Site Readiness Act,  
4 including site characteristic studies of proposed economic  
5 development sites and site preparations of strategic economic  
6 development sites. Disbursements from the fund shall be made  
7 by warrant of the secretary of finance and administration  
8 pursuant to vouchers signed by the secretary of economic  
9 development or the secretary's authorized representative.

10 C. Money in the site readiness fund may be  
11 used to provide grants and loans for financing site pre-  
12 development projects.

13 D. Money in the site readiness fund may be used  
14 for administrative and reimbursable costs incurred by the  
15 department, subject to the legislative appropriation process.

16 SECTION 8. REPORT.--By October 1, 2026, and by October  
17 1 of each year thereafter, the secretary shall provide a  
18 report to the governor, the legislative finance committee and  
19 the appropriate interim legislative committees regarding:

20 A. the number and location of proposed economic  
21 development sites that have been approved for site  
22 characterization studies;

23 B. the number and location of strategic economic  
24 development sites that have been approved by the secretary;

25 C. the number and location of site pre-development

1 projects that have been approved by the secretary, including  
2 those that have been approved for funding, in whole or in  
3 part, through grants and loans from the site readiness fund,  
4 the public project revolving fund or other funding resources;

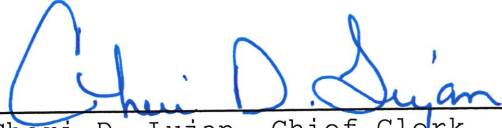
- 5 D. the status of the site readiness fund; and
- 6 E. recommended changes to the Strategic Economic  
7 Development Site Readiness Act.

8 SECTION 9. EFFECTIVE DATE.--The effective date of the  
9 provisions of this act is July 1, 2025. \_\_\_\_\_

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Howie C. Morales, President  
Senate



Cheri D. Lujan, Chief Clerk  
Senate

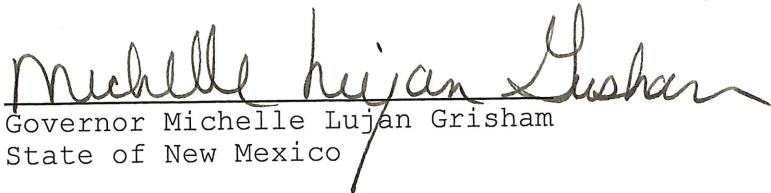


Javier Martínez, Speaker  
House of Representatives



Lisa M. Ortiz McCutcheon, Chief Clerk  
House of Representatives

Approved by me this 7<sup>th</sup> day of April, 2025



Governor Michelle Lujan Grisham  
State of New Mexico