



LFC Requester:	Hitzman
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**PUBLIC EDUCATION DEPARTMENT
BILL ANALYSIS
2023 REGULAR SESSION**

SECTION I: GENERAL INFORMATION

Check all that apply:

Original Amendment
 Correction Substitute

Date Prepared: 02/17/23
 Bill No: [HB262/HGEICS](#)

Sponsor: Garratt
 Short Title: TRANSFER CONNECT NM GRANT PROGRAM

Agency Name and Code
 Number: PED - 924
 Person Writing Gregory Frostad
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY23	FY24		
None	None	N/A	NFA

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY23	FY24	FY25		
None	None	None	N/A	NFA

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY23	FY24	FY25	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	None	None	None	None	N/A	NFA

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Relates to Appropriation in the General Appropriation Act: None.

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: The House Government, Elections and Indian Affairs Committee Substitute for HB262 (HB262/HGEICS) transfers certain duties and responsibilities from the Department of Information Technology (DoIT) and the Connect New Mexico Council to the Office of Broadband Access and

Expansion.

FISCAL IMPLICATIONS

HB262s does not contain an appropriation.

SIGNIFICANT ISSUES

HB262/HGEICS proposes that funds from the Connect New Mexico Fund be used to implement a grant program to develop and expand broadband infrastructure and services. It also would require the broadband office to annually award grants to private entities for broadband infrastructure to provide service primarily for residential purposes. HB262/HGEICS requires the broadband office to consider approving grants from the fund to a private entity, to the extent to which it can meet certain criteria and where the project fosters digital equity. A new definition of “end user” is added to HB262/HGEICS, which was unclear in HB262, as follows: “End-user means an individual, business, institution, or governmental entity that subscribes to an internet service and does not resell that service to other individuals or entities; the addition of this new definition makes the language of the bill clearer to understand who the ‘end user’ is.

The bill should include the addition of the Secretary of the Public Education Department or a designee to the membership of the Connect New Mexico Council. The need for public education representation on the Council is due to the large number of families with public school students and the digital equity requirement of ensuring that at-risk students have access to adequate internet service at home.

HB22/HGEICS modifies the duties of the Connect New Mexico Council. The Connect New Mexico Council would be required to:

- Advise the broadband office on the development of a grant program;
- Make recommendations for grant awards from the Connect New Mexico Fund; and
- Adopt rules regarding the administration of the grants.

HB262/HGEICS would require the broadband council to implement a grant program to develop and expand broadband infrastructure and services and provide money to the Connect New Mexico Fund.

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relates to House Bill 206 (HB206), Rural Telecomm Fund for Broadband, which proposes several updates to the Rural Telecommunications Act.

Relates to House Bill 401, Rename Technology for Education Act, which renames the Act the Digital Equity in Education Act and proposes updates to the act with a focus on those issues of equity.

Relates to Senate Bill 155 (SB155), Use of Telecom Fund for Broadband, which was initially

identical to HB206, but that bill has been amended while SB155 has not, as yet.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None.

AMENDMENTS

None.