



## SB 45 Broadband Infrastructure

### SB45 ACCOMPLISHES 5 THINGS:

1. MOVES ENTIRE STATE EDUCATION NETWORK PROGRAM AND AND STAFF FROM PSFA TO OBAE
2. ADDS EXEMPTION TO PROCUREMENT CODE ON MULTI-YEAR PROFESSIONAL SERVICE CONTRACTS FOR BROADBAND
3. ADDS STATE OF NM TO WIRELESS CONSUMER ADVANCED INFRASTRUCTURE ACT
4. SHORT TITLE UPDATES TO OBAE ACT AND CONNECT NEW MEXICO ACT
5. TRANSFERS OWNERSHIP OF ASSETS PURCHASED BY OBAE FROM DOIT TO OBAE

MOVES THE STATE EDUCATION NETWORK (SEN) IN ITS ENTIRETY FROM PSFA TO OBAE:

# 1

- SECTION 1 – ADDS OBAE TO TAX ACT FOR SEVERANCE TAX BONDS (STB)
- SECTION 2 – BONDING CERTIFICATION TO OBAE, AUTHORITY AND PROCESS MAINTAINED BY STATE BOARD OF FINANCE
- SECTION 4 – REMOVES EDUCATION TECHNOLOGY INFRASTRUCTURE DEFINITION FROM PUBLIC SCHOOL CAPITAL OUTLAY ACT (PSCOA)
- SECTION 5 – REMOVES \$10,000,000 STB FOR EDUCATION TECHNOLOGY INFRASTRUCTURE FROM PSCOA
- SECTION 6 – REMOVES EDUCATION TECHNOLOGY INFRASTRUCTURE FROM PSCOA GRANT PROGRAM
- SECTION 10 – ADDS RELEVANT DEFINITIONS FROM PSCOA TO OBAE ACT
- SECTION 11 – CREATES PURSE TO PLACE STB INTO THE EDUCATION TECHNOLOGY INFRASTRUCTURE FUND
  - RULEMAKING TO BE MADE BY THE CONNECT NEW MEXICO COUNCIL
  - WILL START WITH TRANSFERRING EXISTING RULES FROM PSCOC
- SECTION 12 – MOVES PROGRAM REQUIREMENTS FOR SEN TO OBAE ACT
- SECTION 13 – MOVES THE PSCOA GRANT PROGRAM TO OBAE FOR EDUCATION TECHNOLOGY INFRASTRUCTURE FUND
- SECTION 15 – EXCHANGES PSFA MEMBER OF CONNECT NEW MEXICO COUNCIL FOR PED SECRETARY OR THEIR DESIGNEE
- SECTION 16 – ALIGNS VOUCHER APPROVAL WITH APPROPRIATION OF THE CONNECT NEW MEXICO FUND FORM 2023 TO OBAE
- SECTION 17 – TEMPORARY PROVISION MOVING ENTIRE PROGRAM TO OBAE FROM PSFA
- SECTION 19 – REPEAL OF PSCOA SECTION 4.

MULTI-YEAR CONTRACTS PROCUREMENT:

# 2

- SECTION 3 - ADDS BROADBAND EXEMPTION TO MULTI-YEAR CONTRACTS IN PROCUREMENT CODE
  - BROADBAND PROJECTS TYPICALLY EXCEED CURRENT PROCURMENT LIMIT.

WIRELESS CONSUMER ADVANCED INFRASTRUCTURE INVESTMENT ACT:

# 3

- SECTION 8 – ADDS “OR THE STATE OF NEW MEXICO” TO AUTHORITY DEFINITION

SHORT TITLE UPDATES:

# 4

- SECTION 3 – OBAE ACT
- SECTION 14 – CONNECT NEW MEXICO ACT

TEMPORARY PROVISION OBAE OWNERSHIP:

# 5

- SECTION 18 – MOVEMENT OF OBAE PURCHASED INFRASTRUCTURE FROM DOIT TO OBAE ALIGNED WITH EXECUTIVE BUDGET TO APPROPRIATE FUNDING TO OBAE IN ITS OWN BUSINESS UNIT 36200.

POLE ATTACHMENTS UPDATE:

SUCCESS IN PASSING SB45:

FAILURE TO PASS SB45:

- REMOVED SECTION 7 IN COMMITTEE AMENDMENT
- NM EXCHANGE CARRIER GROUPS AND OBAE ARE COLLABORATING CLOSELY TO ADDRESS CHALLENGES ASSOCIATED WITH POLE ATTACHMENTS THROUGH CONTINUED OUTREACH.

- PASSING THE BILL OFFERS A FLAT MOVE, FACILITATING AN EFFICIENT NETWORK THAT REDUCES LATENCY AND ENHANCES CONNECTIVITY FOR BACKHAUL, THUS PROVIDING MULTIPLE BENEFITS TO STAKEHOLDERS.

- FAILURE TO PASS THE BILL POSES A RISK THAT NM SCHOOLS WILL LOSE THEIR ERATE SUPPORT WHILE PROGRAM AND STAFF ARE TRANSFERRED BACK TO PSFA