State of New Mexico

Michelle Lujan Grisham
Governor

January 26, 2026

SENATE EXECUTIVE MESSAGE NO. 36

The Honorable Mimi Stewart, President Pro Tempore
and Members of the New Mexico State Senate
State Capitol Building
Santa Fe, New Mexico 87501

President Pro Tempore Stewart and Members of the Senate:

Pursuant to Article IV, Section 5(B)(2) of the New Mexico Constitution, I am authorizing for your consideration during the Fifty-Seventh Legislature, Second Session, submission of SENATE BILL 96, a bill providing that registered child care homes, licensed family child care homes, and licensed group child care homes be treated as residential uses in the application of local ordinances and regulations; prohibiting local authorities from imposing additional regulations that do not also apply to other private residences within the same zoning district; providing that local authorities shall not assess or collect certain fees or regulatory taxes from registered child care homes, licensed family child care homes, licensed group child care homes, or licensed child care centers; providing that licensed child care centers be permitted by right use in zones designated as commercial; defining "permitted by right" and other terms; limiting local authorities' regulation of off-street parking as it applies to child care homes and child care centers; clarifying the application of rules promulgated pursuant to Chapter 59A, Article 52 NMSA 1978; and providing that a homeowner association shall not prohibit the operation of, or assess or collect a fee or tax for the operation of, a registered child care home, licensed family child care home, or licensed group child care home.

Respectfully yours,

Michelle Lujan Grisham

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Governor

RECEIVED FROM THE OFFICE OF THE GOVERNOR

Time: _____2:58_____ a.m. p.m

Date: __January 26.__ 2026   By_____
Chief Clerk of the Senate

State Capitol • Room 400 • Santa Fe, New Mexico 87501 • 505-476-2200