

The Legislature
of the
State of New Mexico

52nd Legislature, 1st Session

LAWS 2015

CHAPTER 14

HOUSE BILL 174, as amended

Introduced by

REPRESENTATIVE SARAH MAESTAS BARNES

REPRESENTATIVE LARRY A. LARRAÑAGA
REPRESENTATIVE MONICA YOUNGBLOOD
REPRESENTATIVE STEPHANIE MAEZ
REPRESENTATIVE TIM D. LEWIS
REPRESENTATIVE JASON C. HARPER
REPRESENTATIVE JAMES E. SMITH
REPRESENTATIVE ROD D. MONTOYA
REPRESENTATIVE DENNIS J. ROCH
REPRESENTATIVE YVETTE HERRELL



CHAPTER 14

AN ACT

1
2 RELATING TO AMBER ALERTS; REQUIRING ALL COMMERCIAL MOBILE
3 RADIO SERVICE PROVIDERS OPERATING IN THE STATE TO SEND
4 WIRELESS EMERGENCY ALERTS, INCLUDING AMBER ALERTS, TO
5 CUSTOMERS IN AFFECTED AREAS; PROVIDING DEFINITIONS.
6

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

8 SECTION 1. Section 63-9B-4.1 NMSA 1978 (being Laws
9 2005, Chapter 142, Section 2) is amended to read:

10 "63-9B-4.1. WIRELESS EMERGENCY ALERTS--AMBER ALERT
11 NOTIFICATION.--

12 A. Each commercial mobile radio service provider
13 that is authorized to conduct business in New Mexico shall
14 submit to the authorized requester, designated by the chief of
15 the New Mexico state police pursuant to the AMBER Alert Law,
16 the provider's procedure for receiving a wireless emergency
17 alert, including an AMBER alert, and for disseminating those
18 alerts to the provider's customers as provided in this
19 section.

20 B. Every alerting authority that has the necessary
21 computer software or other infrastructure shall use the
22 federal emergency management agency's integrated public alert
23 and warning system or its successor federal public alert
24 system to communicate wireless emergency alerts.

25 C. Upon receipt of a wireless emergency alert

1 initiated by an alerting authority, every commercial mobile
2 radio service provider shall disseminate the wireless
3 emergency alert to the provider's customers in the geographic
4 area identified in the wireless emergency alert.

5 Dissemination of a wireless emergency alert as provided in
6 this section shall be undertaken in the most technically
7 efficient manner possible, using standard network sharing
8 protocol from authorized agencies or their respective
9 communication contractors.

10 D. A wireless emergency alert disseminated
11 pursuant to this section shall be disseminated at no
12 additional expense to a provider's customer.

13 E. As used in this section:

14 (1) "alerting authority" means a state,
15 local or tribal government that is authorized to use the
16 federal emergency management agency's integrated public alert
17 and warning system to communicate a wireless emergency alert;

18 (2) "commercial mobile radio service
19 provider" means a federal communications commission licensee
20 that provides commercial radio communication service for
21 profit and that makes interconnected service available to the
22 public in the state;

23 (3) "integrated public alert and warning
24 system" means an internet-based system that provides for the
25 dissemination of a wireless emergency alert; and

1 (4) "wireless emergency alert" means a
2 public alert disseminated pursuant to the integrated public
3 alert and warning system by an alerting authority through a
4 commercial mobile radio service provider and includes:


5 (a) an extreme weather or other
6 emergency alert;


7 (b) an AMBER alert; and

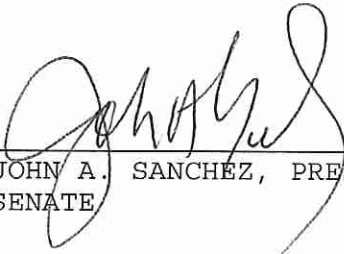
8 (c) an alert issued by the president
9 during a national emergency."

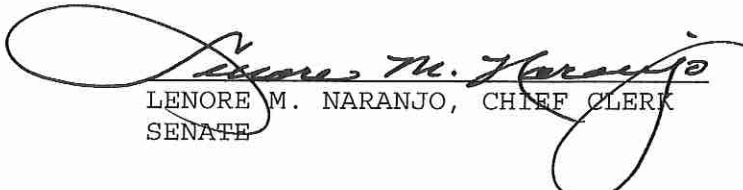
10 SECTION 2. EFFECTIVE DATE.--The effective date of the
11 provisions of this act is July 1, 2015. _____

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DON TRIPP, SPEAKER
HOUSE OF REPRESENTATIVES


DENISE RAMONAS, CHIEF CLERK
HOUSE OF REPRESENTATIVES


JOHN A. SANCHEZ, PRESIDENT
SENATE


LENORE M. NARANJO, CHIEF CLERK
SENATE

Approved by me this 31st day of March, 2015


SUSANA MARTINEZ, GOVERNOR
STATE OF NEW MEXICO