

## **Concise Explanatory Statement**

### **Specific statutory or other authority authorizing the rule:**

Section 9-23-6(E) NMSA 1978.

### **Effective date of the rules:**

11/04/2025

### **Date of adoption of the rules:**

10/20/2025

### **Reasons for adopting the rules:**

The purpose for adopting the new rule, 9-2-26 NMAC, is to comply with New Mexico statute 9-23-14, Criminal history records check; procedures; confidentiality; violation; penalty, which became effective July 1, 2025 of the First Regular Session of the Fifth Legislature (2025).

### **Changes between the published proposed rules and the final rules:**

9.2.26.3: "Section 9-23-14 NMSA 1978" was added to reflect the New Mexico statute that corresponds with this rule.

9.2.26.7: The definitions for "Administrative Hearing" and "Appeal" were removed because the terms do not appear in the rule.

### **Public Comments:**

No public comments were received during the public comment period or at the public hearing on October 10, 2025.