



2024 Regulatory Requirements for MDWCA's



This guidance document aims to outline some of the regulatory tasks that associations formed under the Sanitary Projects Act (MDWCAs) should be aware of during a calendar year. Each water system will have variations based on the system type, size, revenue, and internal rules and requirements. The list provides the basic requirements but **there may be additional reporting required**. We recommend systems make a yearly reporting schedule for all of the required reports, so due dates are easily and consistently followed. Please be aware that legislation, changes in regulations, and court decisions may affect the accuracy of this information.

AGENCY	WHAT	WHEN	CONTACT
New Mexico Environment Department https://www.env.nm.gov/drinking_water/	Water Sampling/ Monitoring: All public water systems are responsible for having a certified operator or sampler collect all samples that monitor water quality in the distribution system. Sample schedules can be found on Drinking Water Watch at https://dww.water.net.env.nm.gov/NMDWW/ .	Monthly, quarterly, semiannually annually or other timeframe specified in the distribution system sampling plan (DSSP). Specific to your system	Water System Compliance Officer NMED Drinking Water Bureau Harold Runnels Building 1190 St. Francis Dr. Suite S2050 Santa Fe, NM 87505 Toll Free: 1-877-654-8720
New Mexico Environment Department https://www.env.nm.gov/drinking_water/	Consumer Confidence Reports: The report notifies customers of their water quality and of any violations their system has. It includes the previous five years of data.	The CCR is due to the Rule Administrator two weeks prior to July 1 st for approval. Due annually to all customers on or before July 1 st .	CCR Rule Administrator nmenv.ccr@state.nm.us NMED - Drinking Water Bureau 1190 St. Francis Dr. Suite S2050 Santa Fe, NM 87505 Toll Free: 1-877-654-8720
Office of the State Engineer https://www.ose.nm.gov/	Water Meter Reading: The report should indicate the amount of water pumped by the system. https://www.ose.nm.gov/Meter/index.php	Monthly, Quarterly, Semiannually or Annually. Specific to your system. Check your water rights permit.	Office of the State Engineer Water Rights Division 130 South Capitol Street Bataan Memorial Building P.O. Box 25102 Santa Fe, NM 87504-5102 (505) 827-6091

AGENCY	WHAT	WHEN	CONTACT
New Mexico Taxation and Revenue http://www.tax.newmexico.gov/	Governmental Gross Receipts Tax: A governmental gross receipts tax of 5% is imposed on MDWCAs that sell water, sewer, and refuse collection and disposal services. https://www.tax.newmexico.gov/governments/governmental-gross-receipts-tax/	File and pay 25 days after the end of tax period. Can be monthly, quarterly or semi-annually depending on system filing frequency.	New Mexico Taxation & Revenue Dept. 1200 South St. Francis Drive Santa Fe, N.M. 87505 (866) 285-2996
New Mexico Taxation and Revenue http://www.tax.newmexico.gov/	Water Conservation Fee: Every public water supply system must pay a water conservation fee of three cents (\$0.03) per thousand gallons of water produced. Systems must report total water produced based on meter readings. https://www.tax.newmexico.gov/all-nm-taxes/2020/10/21/water-conservation-fee/	Due on or before the 25 th day of the month for the month the water was produced.	New Mexico Taxation & Revenue Dept. 1200 South St. Francis Drive Santa Fe, N.M. 87505 (866) 285-2996
New Mexico Attorney General's Office http://www.nmag.gov/	Open Meetings Act: The Open Meetings Act is one of the sunshine laws that requires MDWCAs to conduct open meetings. It specifies requirements for meeting notices, agendas, and minutes. MDWCAs are required to determine yearly reasonable notice for public meetings. http://www.nmag.gov/consumer/publications/openmeetingsactcomplianceguide .	Annual determination of reasonable notice for public meetings is required. Typically passed at the beginning of the fiscal year by resolution or other notification.	Office of Attorney General 408 Galisteo Street Villagra Building Santa Fe, N.M. 87501 (505) 490-4060
New Mexico Attorney General's Office http://www.nmag.gov/	Inspection of Public Records Act (IPRA) The Inspection of Public Records Act (IPRA) is one of the sunshine laws that enables access to public records of all governmental entities in New Mexico. Requires appointment of a records custodian and notice of rights and procedure for inspecting records to be posted. Internal IPRA policy can advise the public and staff on how to request records and associated deadlines and fees. https://nm DOJ.gov/wp-content/uploads/NMDOJ-IPRA-Guide-Ninth-Edition.pdf	Continuous requirement to notice how the public can access records and appointment of records custodian.	Office of Attorney General 408 Galisteo Street Villagra Building Santa Fe, N.M. 87501 (505) 490-4060

AGENCY	WHAT	WHEN	CONTACT
New Mexico Office of the State Auditor http://www.osanm.org/	Audits or Tiered System of Financial Reporting: The State of New Mexico requires audits or tiered financial reporting of local public bodies. The level of reporting is based on the annual revenue and state or federal grant funding that a system has received. https://www.osa.nm.gov/tiered-system-reporting/	Due Annually depending on fiscal year. <u>Calendar Year:</u> May 1 st , or 5 months after your fiscal year ends. <u>Fiscal Year:</u> December 1 st	New Mexico Office of the State Auditor 2540 Camino Edward Ortiz Suite A Santa Fe, N.M. 87507 (505) 476-3800
Department of Finance and Administration (DFA) http://www.nmdfa.state.nm.us	Annual Operating Budget Certification: Annual interim and final operating budgets are required for every local public body (special district) whose revenue is greater than \$50,000 per year. After the interim budget is approved by DFA, the final submission should include the budget, signed resolution, meeting minutes, and quarterly reports from the previous year. https://www.nmdfa.state.nm.us/local-government/budget-finance-bureau/budget-memos/	Due Annually depending on fiscal year. <u>Calendar Year:</u> Interim budget due December 1 st Final budget due January 31 st <u>Fiscal Year:</u> Interim budget due June 1 st Final budget due July 31 st	DFA - Budget & Finance Bureau Local Government Division Bataan Memorial Building, Suite 201 407 Galisteo St Santa Fe, NM 87501 (505) 827-4985
Department of Finance and Administration (DFA) http://www.nmdfa.state.nm.us	Quarterly Financial Reporting: Financial reporting of revenue, expenditures and debt service is required quarterly for every local public body (special district) required to submit an annual operating budget to DFA. Once completed they should be reviewed and approved by the Board and submitted to the DFA-LGD, Budget and Finance Bureau within thirty (30) days of the last day of the last month of the quarter. https://www.nmdfa.state.nm.us/local-government/budget-finance-bureau/budget-forms/	Quarterly financial reports are due to DFA within 30 days of the end of the month for the following quarterly time periods: July thru September: <u>Due October 31st</u> October thru December: <u>Due January 31st</u> January thru March: <u>Due April 30th</u> April thru June: <u>Due July 31st</u>	DFA - Budget & Finance Bureau Local Government Division Bataan Memorial Building, Suite 201 407 Galisteo St Santa Fe, NM 87501 (505) 827-4985

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Department of Finance and Administration http://www.nmdfa.state.nm.us	Infrastructure Capital Improvement Plan (ICIP): The ICIP planning tool encourages entities to develop and update their five-year plan annually which is submitted to the State. It provides an opportunity for communities to assist and assess any critical needs. Although the ICIP is not a funding source, it does include information in each project for state and federal funding opportunities. https://www.nmdfa.state.nm.us/local-government/icip/	Due June 14 th for MDWCAs (special districts)	DFA-Budget & Finance Bureau Local Government Division Bataan Memorial Building, Suite 201 407 Galisteo St Santa Fe, NM 87501 (505) 827-4985
New Mexico Secretary of State http://www.sos.state.nm.us/	Annual Corporate Report: Corporations must be in good standing with the corporation bureau at the Secretary of State Office. To obtain a certificate of good standing, you must file yearly with the proper filing fee. It is due annually generally in May but verify this, via their online system. http://www.sos.state.nm.us/Business_Services/good-standing-and-status-certificate-information-and-fees.aspx	Due annually, generally before May 15 th .	New Mexico Secretary of State New Mexico Capitol Annex North 325 Don Gaspar, Suite 300 Santa Fe, NM 87501 Toll Free: 1-800-477-3632
New Mexico 811 http://nm811.org/	Yearly Membership and Respond to Requests: Utilities that have underground lines must be a member of NM 811. New Mexico 811 works to minimize damage by marking underground lines before an area is excavated. Utilities must mark water lines within two days of the request.	Membership fee due Annually or Quarterly.	New Mexico 811 1021 Eubank Blvd. N.E. Albuquerque, N.M. 87112 (505) 260-1248 Locate Requests (800) 321-2537 Emergency Number (866) 344-6662