

HOUSE BILL 208

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

INTRODUCED BY

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AN ACT

RELATING TO LAW ENFORCEMENT; REQUIRING PEACE OFFICERS TO CARRY AND PRESENT FOR INSPECTION IDENTIFYING CREDENTIALS TO A MEMBER OF THE PUBLIC IN CERTAIN CIRCUMSTANCES; PROHIBITING A PEACE OFFICER FROM CONCEALING THE PEACE OFFICER'S IDENTITY OR THE NAME OF THE PEACE OFFICER'S LAW ENFORCEMENT AGENCY OF EMPLOYMENT IN CERTAIN CIRCUMSTANCES; PROVIDING EXCEPTIONS; PROVIDING A PENALTY; DECLARING AN EMERGENCY.

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

SECTION 1. A new section of Chapter 29, Article 1 NMSA 1978 is enacted to read:

"NEW MATERIAL" REQUIRING PEACE OFFICERS TO CARRY
IDENTIFICATION AND PRESENT IDENTIFICATION FOR INSPECTION UPON
REQUEST--PROHIBITING THE CONCEALMENT OF IDENTITY--EXCEPTIONS--
PENALTY.--

underscored material = new
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1 A. A peace officer shall not wear a face covering
2 while interacting with the public in the performance of the
3 peace officer's duties, except for medical-grade surgical masks
4 or N95 or similar respirators designed to prevent the
5 transmission of airborne diseases or masks designed to protect
6 against exposure to smoke during a declared state of emergency
7 related to wildfire.

8 B. At all times when a peace officer is on duty or
9 responds to a call for service or upon initiation of any law
10 enforcement or investigative encounter between the peace
11 officer and a member of the public, the peace officer shall:

12 (1) carry on the peace officer's person
13 identifying credentials showing the peace officer's name, rank
14 and law enforcement agency of employment;

15 (2) have displayed on a conspicuous place on
16 the peace officer's outermost clothing the peace officer's
17 name, badge number, rank and agency; and

18 (3) present for inspection the identifying
19 credentials to a member of the public upon request.

20 C. A peace officer shall not knowingly or willfully
21 conceal the peace officer's identity, including the peace
22 officer's face, or the name of the peace officer's law
23 enforcement agency of employment whenever the peace officer is
24 on duty.

25 D. The provisions of Subsections A through C of

.232237.4

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1 this section shall not apply when a peace officer in the course
2 of employment:

3 (1) conducts an undercover operation
4 sanctioned by the peace officer's law enforcement agency of
5 employment;

6 (2) is a member of a special weapons and
7 tactics team and performing special weapons and tactics
8 responsibilities; or

9 (3) conducts an explosive recovery and
10 disposal operation to render safe or disassemble an explosive
11 or incendiary device and materials.

12 E. A peace officer who violates the provisions of
13 this section is guilty of a misdemeanor and shall be sentenced
14 pursuant to the provisions of Section 31-19-1 NMSA 1978.

15 F. As used in this section:

16 (1) "face covering" means an opaque mask, a
17 garment, a helmet, headgear or another item, including a
18 balaclava, tactical mask, gator, ski mask or similar type of
19 facial covering or face-shielding item, that conceals or
20 obscures the facial features or identity of a peace officer;

21 (2) "law enforcement agency" means:

22 (a) an entity of a city, county or local
23 agency that employs a peace officer;

24 (b) the New Mexico state police;

25 (c) a law enforcement agency of another

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1 state; or

2 (d) a federal law enforcement agency;

3 (3) "peace officer" means a federal, state or
4 local full-time salaried or certified part-time salaried
5 officer who by virtue of office or public employment is vested
6 by law with the duty to maintain the public peace; and

7 (4) "undercover operation" means an operation
8 that:

9 (a) is conducted by one or more law
10 enforcement agencies that is focused on a suspect or suspects
11 who are the target of an ongoing criminal investigation;

12 (b) involves one or more peace officers
13 who are covert operatives and whose identities are concealed
14 and kept confidential; and

15 (c) is designed either to obtain
16 information about criminal activity of individuals or
17 organizations through the development of ongoing relationships
18 with individuals or organizations or to effect an arrest."

19 **SECTION 2. EMERGENCY.**--It is necessary for the public
20 peace, health and safety that this act take effect immediately.