

HOUSE BILL 255

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

INTRODUCED BY

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AN ACT

RELATING TO PUBLIC SAFETY; CREATING THE PUBLIC SAFETY WORKFORCE
BUILDING PROGRAM; CREATING THE PUBLIC SAFETY WORKFORCE CAPACITY
BUILDING FUND AS A NONREVERTING FUND IN THE STATE TREASURY;
PROVIDING FOR EXPENDITURES FROM THE FUND; PROVIDING GRANT AWARD
CRITERIA PRIORITIZING RECRUITMENT, JURISDICTIONAL COLLABORATION
AND INVESTIGATIONS; LIMITING THE USES OF GRANT MONEY; REQUIRING
REPORTS; TRANSFERRING TO THE PUBLIC SAFETY WORKFORCE CAPACITY
BUILDING FUND THE REMAINING BALANCES FROM THE LAW ENFORCEMENT
WORKFORCE CAPACITY BUILDING FUND, THE PUBLIC ATTORNEY WORKFORCE
CAPACITY BUILDING FUND AND THE DETENTION AND CORRECTIONS
WORKFORCE CAPACITY BUILDING FUND; REPEALING SECTIONS 9-6-17
THROUGH 9-6-19 NMSA 1978 (BEING LAWS 2023, CHAPTER 188,
SECTIONS 1 THROUGH 3); MAKING APPROPRIATIONS.

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

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1 SECTION 1. [NEW MATERIAL] PUBLIC SAFETY WORKFORCE

2 BUILDING PROGRAM--GRANTS.--

3 A. The "public safety workforce building program"
4 is created in the department to provide grant funding for
5 initiatives to increase the state's available workforce and
6 capacity for employment of public safety professionals in law
7 enforcement, firefighting, detention or corrections and
8 licensed attorneys working in district attorney offices or
9 public defender offices and to purchase equipment in
10 furtherance of the program's objectives.

11 B. To receive a grant, an applicant shall apply to
12 the department on a form and in a manner prescribed by the
13 department. An application shall include:

14 (1) a description of the initiative proposed
15 by the applicant;

16 (2) a description of the initiative that
17 demonstrates it will meet an objective of the program; and

18 (3) details and specifics as to the reasonable
19 expected costs and completion date of the proposed initiative.

20 C. The department shall determine which proposed
21 initiatives are approved to receive a grant through a
22 competitive review process pursuant to rules promulgated by the
23 department. The department may adjust the amount of money
24 requested for a proposed initiative based on its determination
25 of the reasonable costs of the initiative. Once an initiative

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1 is approved, the department shall promptly offer each applicant
2 a grant, as appropriate. If a grantee accepts an offer, the
3 initiative may commence, and the grantee shall report to the
4 department on the progress of the initiative on a periodic
5 basis, as determined by the department, including an accounting
6 of expenditures made for the initiative. Funds allocated to an
7 approved initiative shall be spent within two years of
8 receiving a grant, and if any unexpended balance remains at the
9 end of the initiative period, the grantee shall immediately
10 return that balance to the department. The department shall
11 deposit returned amounts in the public safety workforce
12 capacity building fund.

13 D. The department shall develop criteria to guide
14 determinations for awarding a grant and shall:

15 (1) take into consideration:

16 (a) an applicant's public safety
17 professional vacancy rate;

18 (b) the cost of living and comparable
19 market compensation for an applicant's locality; and

20 (c) the crime rates in an applicant's
21 locality; and

22 (2) prioritize consideration of applicant
23 proposals for initiatives that:

24 (a) target the recruitment of
25 individuals who are experienced public safety professionals and

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1 not currently employed by a governmental entity within the
2 state;

3 (b) include collaborations between
4 overlapping jurisdictions; and

5 (c) increase investigative, response or
6 case management capacity, including recruitment or retention of
7 personnel or training existing personnel to serve in new public
8 safety roles.

9 E. The department may award a grant to an eligible
10 entity and shall allocate grant money equitably. For the
11 purposes of this subsection, if applicants whose primary
12 jurisdictions are within different counties apply jointly for a
13 grant and the grant is awarded, each applicant shall receive an
14 award amount based on the applicant's county. The department
15 shall award grants based on an applicant's county as follows:

16 (1) up to twenty-five percent of the money in
17 the fund at the time of the award, less administrative costs as
18 provided in Section 2 of this 2026 act, for grants awarded to
19 applicants whose primary jurisdiction is within a county with a
20 population of at least five hundred thousand according to the
21 most recent federal decennial census;

22 (2) up to thirty-five percent of the money in
23 the fund at the time of the award, less administrative costs as
24 provided in Section 2 of this 2026 act, for grants awarded to
25 applicants whose primary jurisdiction is within a county with a

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1 population of at least one hundred thousand but less than five
2 hundred thousand according to the most recent federal decennial
3 census; and

4 (3) any amount of available money remaining in
5 the fund for grants awarded to applicants whose primary
6 jurisdiction is within a county with a population of less than
7 one hundred thousand according to the most recent federal
8 decennial census.

9 F. A grantee may use a grant to:

10 (1) provide a recruitment differential
11 disbursement, including a disbursement for relocation expenses
12 for a newly hired public safety professional; provided that the
13 public safety professional hired remains employed with the
14 grantee for a period of time as provided by rule of the
15 department;

16 (2) provide a retention differential
17 disbursement to a public safety professional who is already
18 employed by the grantee and who is not an elected public
19 official; provided that the public safety professional remains
20 employed with that grantee for a period of time as provided by
21 rule of the department;

22 (3) implement professional development
23 initiatives designed to recruit, train or retain public safety
24 professionals;

25 (4) implement campaigns to recruit in-state or

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1 out-of-state public safety professionals; or
2 (5) pay for equipment or equipment upgrades
3 tied to professional development initiatives designed to
4 recruit public safety professionals.

5 G. A grantee shall not use a grant:

6 (1) for a recurring initiative, unless the
7 grantee first provides a plan to replace nonrecurring funds
8 with recurring funds to fund the initiative; or
9 (2) to create a public safety professional
10 position or fund the base salary of an existing public safety
11 position.

12 H. Within ninety days of receiving a grant, and
13 every ninety days thereafter until the earliest of either the
14 completion of the grantee's initiative or when the funds are
15 expended, the grantee shall provide to the department a report
16 containing the grantee's initiative expenditures. Any
17 unexpended balance remaining after completion of the initiative
18 shall revert to the fund within thirty days of completion.

19 I. By November 1 of each fiscal year, the
20 department shall provide an annual report regarding the program
21 to the legislative finance committee that includes:

22 (1) information about each grant applicant,
23 the grant amount requested and the title and description of the
24 applicant's proposed initiative;
25 (2) grantee information, including the

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1 grantees agency, the grant amount awarded and the title and
2 description of the grantees initiative;

3 (3) data collected and evaluations by the
4 department regarding the efficacy of the initiatives of grant
5 award recipients; and

6 (4) the status of ongoing workload studies and
7 the results of completed workload studies.

8 J. The department shall promulgate rules to
9 administer the program. At a minimum, the rules shall include
10 provisions to:

11 (1) establish procedures for submission of
12 applications and review, evaluation and approval of proposed
13 initiative applications;

14 (2) accord priority attention to areas with
15 the greatest need; and

16 (3) evaluate the ability and competence of an
17 applicant to provide efficiently and adequately for the
18 completion of a proposed initiative.

19 K. As used in this section:

20 (1) "department" means the department of
21 finance and administration;

22 (2) "eligible entity" means the state or a
23 political subdivision of the state; and

24 (3) "fund" means the public safety workforce
25 capacity building fund.

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1 **SECTION 2. [NEW MATERIAL] PUBLIC SAFETY WORKFORCE**

2 CAPACITY BUILDING FUND--CREATED.--The "public safety workforce
3 capacity building fund" is created as a nonreverting fund in
4 the state treasury to support the objectives of the public
5 safety workforce building program. The fund consists of
6 distributions, appropriations, gifts, grants, donations and
7 income from investment of the fund. Money in the fund is
8 appropriated to the department of finance and administration.
9 Expenditures from the fund shall be made on warrant of the
10 secretary of finance and administration pursuant to vouchers
11 signed by the secretary of finance and administration or the
12 secretary's authorized representative. The department of
13 finance and administration shall administer the fund to provide
14 grant disbursements and pay administrative costs necessary to
15 carry out the provisions of Section 1 of this 2026 act;
16 provided that the amount expended for administrative costs
17 shall not exceed three percent of the annual balance of the
18 fund.

19 **SECTION 3. TEMPORARY PROVISION.--**On and after July 1,

20 2026, statutory references to the law enforcement workforce
21 capacity building fund, the public attorney workforce capacity
22 building fund or the detention and corrections workforce
23 capacity building fund shall be deemed to be references to the
24 public safety workforce capacity building fund, and on July 1,
25 2026:

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1 A. the balance in the law enforcement workforce
2 capacity building fund is transferred to the public safety
3 workforce capacity building fund;

4 B. the balance of the public attorney workforce
5 capacity building fund is transferred to the public safety
6 workforce capacity building fund;

7 C. the balance of the detentions and corrections
8 workforce capacity building fund is transferred to the public
9 safety workforce capacity building fund;

10 D. the balance from the appropriations in
11 Subsection (7) of Section 10 of Chapter 54 of Laws 2022 is
12 transferred to the public safety workforce capacity building
13 fund;

14 E. the balance from the appropriations in
15 Subsection (48) of Section 5 of Chapter 210 of Laws 2023 is
16 transferred to the public safety workforce capacity building
17 fund; and

18 F. the balances from the appropriations in
19 Subsections (36) and (42) of Section 5 of Chapter 69 of Laws
20 2024 are transferred to the public safety workforce capacity
21 building fund.

22 SECTION 4. REPEAL.--Sections 9-6-17 through 9-6-19 NMSA
23 1978 (being Laws 2023, Chapter 188, Sections 1 through 3) are
24 repealed.

25 SECTION 5. EFFECTIVE DATE.--The effective date of the
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1 provisions of this act is July 1, 2026.
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