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FISCAL IMPACT REPORT

SPONSOR Smith ORIGINAL DATE 02/20/13
LAST UPDATED _____ HB _____
SHORT TITLE County Firefighting Contracts SB 431
ANALYST Boerner

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY13	FY14	FY15	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		\$0.0	\$0.0			None

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Attorney General's Office (AGO)

Department of Finance and Administration (DFA)

SUMMARY

Synopsis of Bill

This bill amends Section 4-36-5 NMSA 1978 to provide for county authority to contract with individuals as well as municipalities for firefighting services in the county.

FISCAL IMPLICATIONS

No major fiscal impacts noted, however, contracting with individuals rather than maintaining firefighting services by the county could potentially be more economical for the county.

SIGNIFICANT LEGAL ISSUES

The AGO points out that current law allows counties to contract with municipalities for firefighting services. This bill explicitly gives counties the authority to also contract for such services with individuals.

However, under this bill, the law would continue to provide direction for a contract with a municipality but apparently no direction for a contract with an individual. If the intention is that the limitations in subsection B also apply to contracts with individuals, the bill would need to be amended.

TECHNICAL ISSUES

It appears that the bill should be amended or provide for a new Subsection B of Section 4-36-5 NMSA 1978 that provides commensurate direction for a contract with an individual as it currently does for a contract with a municipality.

CEB/blm