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FISCAL IMPACT REPORT



SPONSOR: Taylor, JG DATE TYPED: 02/03/02 HB 239/aHGUAC

SHORT TITLE: Distribution to Tribal Police Departments SB _____

ANALYST: Gilbert

REVENUE

Estimated Revenue		Subsequent Years Impact	Recurring or Non-Rec	Fund Affected
FY02	FY03			
	(\$0.1)	*See Narrative	Recurring	Law Enforcement Protection Fund
	(\$0.1)	*See Narrative	Recurring	General Fund
	\$0.1	See Narrative	Recurring	Local-Tribal Government

(Parenthesis () Indicate Revenue Decreases)

Duplicates HB 222

SOURCES OF INFORMATION

LFC Files

Response Received

Department of Public Safety (DPS)

No Response

Department of Finance and Administration (DFA)

Taxation and Revenue Department (TRD)

SUMMARY

Synopsis of HGUAC Amendment

The House Government and Urban Affairs Committee amendment to House Bill 239 amends Section 29-13-4 NMSA 1978 pertaining to determination of needs and rate of distribution to county sheriff's departments and municipal and university police departments. Language in Section 29-13-4 A and B is amended to include distributions to tribal police departments. Currently such distributions are only made to counties, municipalities, and universities. This amendment entitles tribal police departments to receive a \$20,000 annual distribution per this section.

Synopsis of Original Bill

House Bill 239 amends Section 29-1-11 NMSA 1978 (laws of 1972, chapter 8, section 1, as amended) relating to law enforcement by increasing the annual rate of distribution from the law enforcement protection fund from \$300 per commissioned peace officer to \$600 per officer. Payments shall be made only to those divisions of the tribal police departments that perform services in New Mexico.

FISCAL IMPLICATIONS

This bill will result in a 100% increase in the total payments from the law enforcement protection fund to tribal police departments for their commissioned peace officers per the provisions of Section 29-1-11 NMSA 1978. No information was received from the Department of Finance and Administration regarding the total incremental impact to the law enforcement protection fund or if this bill will have any affect on local, state, or federal matching funds or appropriations. The Department of Public Safety (DPS) states that this bill will potentially decrease the amount of revenues generated by citations, which subsequently go to the general fund.

OTHER SUBSTANTIVE ISSUES

According to the DPS, the New Mexico State Police will not commission tribal officers from a tribal entity that cites non-Indian violators into tribal court or use civil citations for traffic violations. Further, passing this legislation could lend validity to tribal entities that stop non-Indian persons and cite them into tribal courts or issue civil citations that are paid directly to tribal governments.

RLG/ar