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FISCAL IMPACT REPORT

ORIGINAL DATE 1/27/19

SPONSOR Small LAST UPDATED _____ HB 208

SHORT TITLE Hazardous Officer Statement Upon Court Order SB _____

ANALYST Jorgensen

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		NFI				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

New Mexico Attorney General (NMAG)

SUMMARY

Synopsis of Bill

House Bill 208 (HB208) amends the Hazardous Duty Officers' Employer-Employee Relations Act (Act) so that a compelled statement of an officer will not be released except upon court order. Under the Act, "officer" means "an individual who is employed full-time by the state or a political subdivision of the state as a firefighter, emergency medical technician or paramedic." And a "compelled statement" is a statement provided by an officer to the officer's employer under threat of dismissal from employment or any other employment sanction.

HB208 would require the officer to be advised at the beginning of their interview of "...all legal rights that the officer has with respect to the investigative interview." Additionally, it would substitute the term "investigative interview" where "interrogation" is currently used.

FISCAL IMPLICATIONS

There is no fiscal impact associated with this legislation.

SIGNIFICANT ISSUES

In analysis for a similar bill introduced in the 2014 legislative session, the AOC noted “there is no guidance in [HB208] as to when a court may, or be required to, order the release of a hazardous duty officer’s compelled statement.”

CJ/gb