

LFC Requester: _____

**AGENCY BILL ANALYSIS
2024 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

Analysis.nmlegis.gov

{Analysis must be uploaded as a PDF}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:
Original **Amendment** _____
Correction _____ **Substitute** _____

Date 01/23/2024
Bill No: SB 152

Sponsor: Senator Hemphill
Short Title: CYFD Investigations & Background Checks

Agency Name and Code CYFD / 690
Number: _____
Person Writing Julie Sakura
Phone: 5054698806 **Email** Julie.sakura@cyfd.nm.

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

SB 152 provides technical fixes made necessary by the split of CYFD and ECECD. This language is required by the Federal Bureau of Investigations so that CYFD and ECECD can continue to receive criminal history information to conduct background checks on those individuals who provide care to New Mexico’s most vulnerable children.

Specifically, SB 152 provides definitions for CYFD to conduct background clearances on:

- Foster or adoptive parents
- Adults residing in foster or adoptive parent’s households
- Operators, employees, student interns and volunteers of:
 - every facility or program that has primary custody of children for 20 hours or more per week
 - behavior management skills development
 - case management
 - child placement agencies
 - comprehensive community support services
 - shelter care
 - Juvenile detention or correction facilities
 - Treatment facilities
 - Day treatment
 - Group homes
 - Intensive outpatient programming
 - Treatment foster care
 - Residential treatment facilities

In addition, SB 152 places the term “department employees” in the section requested by the FBI allowing ECECD to perform background clearances for ECECD employees.

FISCAL IMPLICATIONS

None.

SIGNIFICANT ISSUES

As noted above, without this crucial legislation, CYFD will be unable to conduct background checks on those individuals who provide care to New Mexico's most vulnerable children. This legislation is necessary to ensure that CYFD is equipped with a vital tool to ensure the safety of children in state custody.

PERFORMANCE IMPLICATIONS

Without this legislation, CYFD will be unable to conduct background checks on individuals providing services to our most vulnerable population.

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Without this legislation, CYFD will be unable to conduct background checks on individuals providing services to our most vulnerable population.

AMENDMENTS