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## FISCAL IMPACT REPORT

|                                                              |                                                |                                     |
|--------------------------------------------------------------|------------------------------------------------|-------------------------------------|
| <b>SPONSOR</b> <u>Jaramillo/Cervantes/Correa Hemphill</u>    | <b>LAST UPDATED</b> <u>2/9/24</u>              | <b>ORIGINAL DATE</b> <u>1/26/24</u> |
| <b>SHORT TITLE</b> <u>Law Enforcement Fund Distributions</u> | <b>BILL NUMBER</b> <u>Senate Bill 175/aSFC</u> |                                     |
|                                                              | <b>ANALYST</b> <u>Sanchez</u>                  |                                     |

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT\* (dollars in thousands)

| Agency/Program | FY24              | FY25              | FY26              | 3 Year Total Cost | Recurring or Nonrecurring | Fund Affected |
|----------------|-------------------|-------------------|-------------------|-------------------|---------------------------|---------------|
|                | No fiscal impact. | No fiscal impact. | No fiscal impact. |                   |                           |               |

Parentheses ( ) indicate expenditure decreases.  
 \*Amounts reflect most recent analysis of this legislation.

### Sources of Information

LFC Files

Agency Analysis Received From  
 Corrections Department (NMCD)

Agency Analysis was Solicited but Not Received From  
 Administrative Office of the Courts (AOC)  
 Department of Public Safety (DPS)  
 Municipal League (NMML)

Because of the short timeframe between the introduction of this bill and its first hearing, LFC has yet to receive analysis from state, education, or judicial agencies. This analysis could be updated if that analysis is received.

## SUMMARY

### Synopsis of SFC Amendment to Senate Bill 175

The Senate Finance Committee Amendment to Senate Bill 175 removes the \$35 million appropriation.

### Synopsis of Senate Bill 175

The original version of Senate Bill 175 appropriated \$35 million from the general fund to the Department of Finance and Administration to recruit and retain state and local law enforcement officers, correctional officers, and probation and parole officers.

This bill does not contain an effective date and, as a result, would go into effect 90 days after the Legislature adjourns, or May 15, 2024, if enacted.

## **FISCAL IMPLICATIONS**

Although this bill does not specify future appropriations, expanding the pool of individuals eligible for an existing program, particularly if these programs perform well, creates an expectation the program will continue in future fiscal years; therefore, costs could increase or could become recurring in future fiscal years.

## **SIGNIFICANT ISSUES**

The law enforcement retention fund already exists in statute and is used to fund stipends for certified law enforcement officers who complete their fourth, ninth, 14th, and 19th year of service with a law enforcement agency in New Mexico. The fund began distributing stipends to law enforcement agencies in FY22 and has seen growth in the number of officers and law enforcement agencies seeking stipends.

Research shows the certainty of punishment is a significantly more effective deterrent to criminal behavior than the severity of punishment, with the severity of punishment having no impact on crime reduction beyond the certainty of being caught. In New Mexico, however, punishment has grown less certain as crime has increased, with fewer violent crimes solved and more violent felony cases dismissed. Improving policing and increasing cooperation and coordination among criminal justice partners could help increase the certainty of punishment for the most violent offenses and provide a stronger deterrent to serious crime.

Investing in recruiting and retaining high-quality law enforcement officers is an important component of protecting and improving public safety. To the extent SB175 is effective at improving law enforcement officer recruitment and increasing force strength, the bill may improve officer vacancy rates and turnover, as well as improve metrics related to proactive law enforcement operations and arrests, which are impacted by force strength.

## **TECHNICAL ISSUES**

Analysis of the original bill from the New Mexico Corrections Department stated:

Lines 6 and 7 on page 2 indicate that funds can be utilized for recruitment of “certified” law enforcement and “certified” correctional and probation and parole officers. The term “certified” should be excluded as a portion of the funds would be allocated to train individuals for certification.

SS/hg/ss