

<b>LFC Requester:</b>	<b>Scott Sanchez</b>
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**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**

**[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto:billanalysis@dfa.nm.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}*

**Date Prepared:** 2.7.25 *Check all that apply:*  
**Bill Number:** SB 177 Original  Correction   
 Amendment  Substitute

<b>Sponsor:</b> <u>Antoinette Sedillo Lopez,</u> <u>Angelica Rubio</u>	<b>Agency Name and Code:</b> <u>NM Department of Homeland Security and Emergency Management-79500</u>
<b>Short Title:</b> <u>U VISA CERTIFICATION ACT</u>	<b>Person Writing:</b> <u>Matthew Stackpole</u>
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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
\$0	\$0	NA	NA

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
\$0	\$0	\$0	NA	NA

(Parenthesis ( ) indicate revenue decreases)

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

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	\$0	\$0	\$0	\$0	NA	NA

(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: Senate Bill 177 (SB 177) establishes the U Visa Certification Act, which creates a formal process for crime victims to request U visa certification from designated state and local agencies. The U visa is a federal immigration benefit available to victims of specific crimes who have suffered mental or physical abuse and who cooperate with law enforcement in the investigation or prosecution of the crime. Certification is a required step for a victim to apply for a U visa through U.S. Citizenship and Immigration Services (USCIS) but does not guarantee the issuance of a visa.

The Act designates certifying agencies, which include state and local law enforcement, courts, the New Mexico Department of Justice, district attorney offices, the Children, Youth and Families Department, the Workforce Solutions Department, the Health Care Authority, and tribal law enforcement agencies with recognized peace officer commissions. These agencies are tasked with reviewing and issuing certification forms for qualifying victims. The Act also defines the role of certifying officials, who are agency heads, designated supervisors, or judges responsible for processing certification requests.

Under SB 177, a victim or their representative may request U visa certification from a designated certifying agency. If the victim is subject to removal proceedings, they may request expedited processing from a district attorney's office or the Department of Justice. Certifying officials may only deny or withdraw certification if a victim refuses to provide information or cooperate with the investigation. The Act prohibits denial solely because the case has concluded, was not prosecuted, or the alleged offender was acquitted.

The bill sets strict deadlines for processing certification requests: 30 days for standard requests and 14 days for expedited cases. If certification is denied, agencies must provide a written explanation and establish an internal appeals process. If the internal appeal is unsuccessful, the victim may seek review from the Department of Justice. If all appeals are exhausted, the victim may petition the district court for review. The court may order certification if the petitioner meets the eligibility criteria and may also award attorney's fees and reasonable costs.

The Act further requires certifying agencies to publish their U visa certification procedures online, maintain records of requests and decisions, and provide reports to the Legislature or Department of Justice upon request.

#### **FISCAL IMPLICATIONS**

The fiscal impact of SB 177 is currently indeterminate. While the bill does not appropriate funds, it will likely require administrative resources to process requests, conduct appeals, and ensure compliance with recordkeeping and reporting requirements. Agencies may require additional personnel or training to handle U visa certifications effectively.

#### **SIGNIFICANT ISSUES**

DHSEM does not know what significant issues may currently exist with implementation of SB 177.

**PERFORMANCE IMPLICATIONS**

DHSEM does not know of any performance implications of SB 177.

**ADMINISTRATIVE IMPLICATIONS**

SB 177 introduces processing deadlines and appeals mechanisms that will require agencies to allocate resources and establish internal policies. Compliance with recordkeeping and reporting mandates may necessitate dedicated staff or additional funding.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

NA

**TECHNICAL ISSUES**

DHSEM does not know of any technical issues with SB 177.

**OTHER SUBSTANTIVE ISSUES**

NA

**ALTERNATIVES**

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Status quo.

**AMENDMENTS**