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## FISCAL IMPACT REPORT

<b>SPONSOR</b> <u>Senate Judiciary Committee</u>	<b>LAST UPDATED</b> _____
	<b>ORIGINAL DATE</b> <u>3/16/2025</u>
	<b>BILL</b> <u>CS/Senate Bill</u>
<b>SHORT TITLE</b> <u>State Enforcement of Immigration Law</u>	<b>NUMBER</b> <u>250/SJCS</u>
	<b>ANALYST</b> <u>Fischer</u>

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

Agency/Program	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
DPS	No fiscal impact	No fiscal impact	No fiscal impact			

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

Relates to Senate Bill 87  
 Conflicts with House Bill 316

### Sources of Information

LFC Files

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 SJC Substitute for Senate Bill 250

The Senate Judiciary Committee substitute for Senate Bill 250 (SB250) prohibits state and local agencies in New Mexico from using public resources to enforce federal immigration laws. The bill contains an exception for existing contracts between counties and the federal government for housing federal detainees. SB250 also outlines that local sheriffs and jailers who receive custody of a person under a federal warrant or order may keep the person in custody at a cost to the federal government. Finally, the bill repeals Section 29-1-10 NMSA 1978, which states that any law enforcement agency of the state of New Mexico may receive and spend funds from the U.S. Department of Justice (DOJ) or Treasury Department under the Controlled Substances Act and the Tariff Act of 1930 for law enforcement activities.

This bill does not contain an effective date and, as a result, would go into effect 90 days after the Legislature adjourns if enacted, or June 20, 2025.

## **FISCAL IMPLICATIONS**

Senate Bill 250 is a regulatory bill that should not significantly impact agency operations. SB250 respects existing contracts between county jails and the federal government but could impede future contracts between county jails and the federal government to house detainees.

## **SIGNIFICANT ISSUES**

Most agencies responded to a prior version of SB250 that the provisions of SB250 would not impact their work. The federal government has exclusive authority over immigration enforcement, and some courts have ruled that states cannot interfere with federal priorities. However, the bill does not actively obstruct federal enforcement but merely limits state cooperation, which courts have sometimes upheld.

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

SB250 relates to Senate Bill 87, which prohibits state and local governments from adopting or continuing any law, ordinance, rule or regulation that would prohibit or restrict the use of personnel or resources to assist in the enforcement of federal immigration law or interfere with the enforcement of federal immigration law.

SB250 conflicts with House Bill 316, which prohibits the state of New Mexico or any of its political subdivisions from adopting or maintaining any law, ordinance, rule, or regulation that restricts or prohibits the use of personnel or resources to assist in enforcing federal immigration law.

MF/SL2/sgs