

<b>LFC Requester:</b>	
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## AGENCY BILL ANALYSIS - 2026 REGULAR SESSION

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**  
**[AgencyAnalysis.nmlegis.gov](mailto: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:** 1-21-26

*Check all that apply:*

**Bill Number:** HB-9

Original  Correction

Amendment  Substitute

**Sponsor:** E.Chavez/Rubio/A  
Romero/Anaya/Cervantes

**Short Title:** Immigrant Safety Act

**Agency Name and Code Number:** AODA 264

**Person Writing Phone:** Dustin O'Brien  
5054865806 **Email:** animasrio@gmail.com

### **SECTION II: FISCAL IMPACT**

#### **APPROPRIATION (dollars in thousands)**

<b>Appropriation</b>		<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>FY26</b>	<b>FY27</b>		

#### **REVENUE (dollars in thousands)**

<b>Estimated Revenue</b>			<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>FY26</b>	<b>FY27</b>	<b>FY28</b>		

(Parenthesis ( ) indicate revenue decreases)

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

<b>FY26</b>	<b>FY27</b>	<b>FY28</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>					

(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**

HB 9 creates a statewide prohibition on the use of state or local governmental resources to support federal immigration detention. It prohibits participation in federal immigration detention infrastructure through contracts and public property use. It also requires that all public bodies in the State terminate and existing agreements as soon as the lawfully can. It allows but does not require that the Attorney General or District Attorneys bring suit to enforce the Act.

#### **FISCAL IMPLICATIONS**

The bill does not contain an appropriation. If District Attorneys brings suit against a public body, it may require additional training and resources for current staff or the contracting of outside counsel to conduct litigation.

Any federal funding removed from this State because of a public entity's current or prospective agreement with the Federal Government would cause a loss of that resource and associated employment revenue.

#### **SIGNIFICANT ISSUES**

The bill would limit the ability of local law enforcement and district attorneys to cooperate with federal authorities in the enforcement and prosecution of individuals who have only a civil immigration detainer but a pending state criminal matter. The transfer of individuals out of New Mexico by the United States will make it more difficult to prosecute pending criminal matters against immigrants charged but not held under state law.

In the event the United States continues to hold immigrants detained civilly but released on a pending state criminal matter, it would require that they be held outside of New Mexico making access for all interested parties more difficult. This would not only include the prosecution but also the defendant's attorney and family.

#### **PERFORMANCE IMPLICATIONS**

#### **ADMINISTRATIVE IMPLICATIONS**

In the event District Attorneys were required to enforce the Act, there would need to be additional training of staff or funding to contract with outside counsel.

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

#### **TECHNICAL ISSUES**

#### **OTHER SUBSTANTIVE ISSUES**

## **ALTERNATIVES**

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

## **AMENDMENTS**