

LFC Requester:	Noah Montano
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AGENCY BILL ANALYSIS – 2026 REGULAR SESSION

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO AgencyAnalysis.nmlegis.gov and email to 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: 02/02/2026 *Check all that apply:*
Bill Number: HB 20 Original Correction
 Amendment Substitute

Sponsor: Rep. Abeyta, Rep. Alan
 Martinez, Sen. Charley, Sen.
 Hall, Rep. Joseph F Hernandez
Short Title: Native American Designation
 on Licenses

Agency Name and Code Indian Affairs Department
 60900
Number: _____
Person Writing Amanda Nezzie
Phone: 5056993354 **Email** amanda.nezzie@iad.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

Bill does not contain any appropriations. No fiscal Impact to Indian Affairs Department.

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () indicate revenue decreases)

Duplicates/Conflicts with/Companion to/Relates to:

Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: The bill amends the application for driver’s license and identification cards to allow members of a federally recognized tribe to request a distinguishing mark on their driver’s license/identification card indicating the person is Native American. The bill provides a choice of four acceptable documents to prove the applicant’s tribal membership. The bill specifies that the designation may not identify a particular tribe, nation or pueblo and may not include additional personal or tribal information beyond the mark itself. The option would apply to both driver’s licenses and state identification cards and would take effect on October 1, 2026, if enacted.

FISCAL IMPLICATIONS

The bill does not contain any appropriations. There is no fiscal impact to the Indian Affairs Department.

SIGNIFICANT ISSUES

Across the country, the United States Immigration and Customs Enforcement are questioning Native American tribal enrollment status. In some instances, Native Americans have been detained. However, most tribes across the country already have their own tribal forms of identification. HB20 does not require specifying tribal affiliation.

A similar bill in Arizona passed in 2025 and was signed into law effective January 1, 2026. Enrolled members of only the federally recognized tribal nations located in Arizona have the option to have the words “Native American” printed on driver’s licenses and identification cards after providing proof of enrollment to the state.

IAD appreciates that the ultimate decision remains an individual’s choice. However, IAD notes, in recognition of tribal sovereignty, entities throughout the state and country should

understand that every individual Nation, Pueblo, and Tribe in the county has sole authority to determine their membership. With that authority should be the authority to determine how their tribe issues identification for their members. A tribe's identification system, whether a card, certification of Indian blood, or affidavit of birth, should be sufficient to designate a person who is a member of a federally recognized tribe.

Finally, it is possible that Native American citizens may not realize the potential jurisdictional implications which may arise due to having their state license or identification card state whether they are a member of a federally recognized tribe. Additionally, in some instances, because the distinguishing marker makes it known who is a member of a federally recognized tribe, it may subject the person to potential criminal jurisdiction in various courts for particular instances and/or infractions.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

IAD defers to TRD and MVD regarding any administrative implications.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

Nations, Pueblos, and Tribes could be supported through developing and enhancing their own tribal identification processes.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None.

AMENDMENTS