

LFC Requester:

Scott Sanchez

## AGENCY BILL ANALYSIS - 2026 REGULAR SESSION

### SECTION I: GENERAL INFORMATION

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

**Date Prepared:** 1/18/26

*Check all that apply:*

**Bill Number:** HB 91

Original X

Correction       

Amendment       

Substitute       

**Sponsor:** Rep. Marian Matthews

**Agency Name and** 305 – New Mexico

**Code Number:** Department of Justice

**Person Writing**

**Analysis:** Carrie Cook

**Short** Redact Change of Cause of  
**Title:** Death Notification

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### SECTION II: FISCAL IMPACT

#### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		

(Parenthesis ( ) indicate expenditure decreases)

#### 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)

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

*This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator's request. The analysis does not represent any official policy or legal position of the NM Department of Justice.*

### **BILL SUMMARY**

#### **Synopsis:**

HB 91 appears intended to amend NMSA 14-2-1.2 (Law Enforcement Records) to add a new exemption making “visual or audio depiction of the notification to a member of the public of a change in cause of death of a family member” non-disclosable “without permission of the person who receives the notification.”

### **FISCAL IMPLICATIONS**

None.

### **SIGNIFICANT ISSUES**

Section 14-2-1.1(A) permits, but does not require, the redaction of certain law enforcement records. Requiring permission from members of the public for the proposed exemption when the rest of the language of Section 14-2-1.1(A) is permissive introduces confusion.

### **PERFORMANCE IMPLICATIONS**

HB 91 would require that the records custodian obtain permission prior to releasing the footage of a change in notification of death. In practice, it is possible custodians may simply decide to withhold those records rather than attempt to seek permission, making that language moot, especially due to the permissive language of Section 14-2-1.2(A), which notes that records *may* be redacted, as opposed to *shall* be redacted.

### **ADMINISTRATIVE IMPLICATIONS**

None.

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

None.

### **TECHNICAL ISSUES**

None.

### **OTHER SUBSTANTIVE ISSUES**

N/A

**ALTERNATIVES**

None.

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

Status quo.

**AMENDMENTS**

None.