

LFC Requester:

Rommel, Harry

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: 1/23/2026

Check all that apply:

Bill Number: HB115

Original Correction
Amendment Substitute

Sponsor: Rep. E. Diane
Torres-Velásquez and
Sen. Elizabeth Stefanics

Agency Name and Code Number: 305 – New Mexico
Department of Justice

Short Title: PROTECTIONS FOR
NURSES INVOKING SAFE
HARBOR

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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
Total						

(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 115 adds a requirement for a safe harbor post-occurrence review and expands the parties and actions that are not allowed once a nurse invokes safe harbor.

Section 1 amends Section 61-3A-3 to add a Subsection (C)(4)(c) that adds to the safe harbor process a post-occurrence review of the situation that questions perceived retaliation from a nurse’s invocation of safe harbor. Section 1 also broadens Subsection (D), which currently prohibits retaliation, discrimination, and certain other forms of payback against a nurse making a good-faith request for safe harbor, to (1) apply to health care personnel, in addition to the care facility itself, and (2) cover bullying as a prohibited post-invocation action.

FISCAL IMPLICATIONS

N/A

SIGNIFICANT ISSUES

N/A

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

TECHNICAL ISSUES

Consider defining the term “bully” or “bullying” or incorporating the definition located at NMSA 1978, § 22-35-2.

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo

AMENDMENTS

N/A