

LFC Requester:	Joseph Simon
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AGENCY BILL ANALYSIS – 2026 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: 15FEB26 *Check all that apply:*
Bill Number: HB132A Original Correction
 Amendment Substitute

Sponsor: Luis M. Terrazas **Agency Name and Code Number:** 790 – Department of Public Safety
 Rep. Cynthia Borrego, Rep. Marian Matthews, Rep. Nicole Chavez, Rep. Andrea Reeb, Rep. **Person Writing** Matthew Broom, Deputy Chief
Short Title: Police Officer Workers Comp **Phone:** 5757601485 **Email:** Matthew.broom@dps.nm.gov
Conditions

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
N/A	N/A	N/A	N/A

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
N/A	N/A	N/A	N/A	N/A

(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	NFI	\$304.3	\$304.3	\$608.6	Recurring	GF

(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

House Bill 132 as amended (HB-132a) lowers the bar for police officers to receive workers' compensation for post-traumatic stress disorder, back pain due to carrying a gun and other equipment, and heart problems.

The HLMVC amendment replaces the original bill's three presumptive conditions (PTSD, duty-belt back pain, and heart issues—each subject to 20- or 25-year service requirements) with three revised conditions: (1) noise-induced hearing loss resulting in physical impairment, (2) PTSD resulting in physical impairment, mental impairment, or death, and (3) heart injury or stroke suffered within 24 hours of responding to a call, supervised physical training, or emergency response. The amendment eliminates all service-time thresholds and adds a savings clause (new Subsection D), preserving officers' right to prove causation by a preponderance of evidence when presumptions do not apply.

FISCAL IMPLICATIONS

The Department of Public Safety (DPS) does not anticipate any additional fiscal impact outside of the initial estimate.

SIGNIFICANT ISSUES

HB-32a law brings state rules up to date with modern science about the risks police officers face on the job. It officially recognizes that officers can suffer from hearing loss (including ringing in the ears), Post Traumatic Stress Disorder (PTSD), and heart problems caused by their work in emergencies. This shows that lawmakers understand both the physical and mental challenges officers face every day and want to show respect for their service. The bill also makes it clear to officers that the state supports them and values their work.

The new version of the law is clearer about which health problems are covered. It focuses on heart issues that happen during specific work events. This makes it easier to predict what is covered and limits open-ended claims. The law also connects health coverage to required training and medical checkups, making everyone more accountable and helping keep costs manageable while still protecting officers.

The HLMVC amendment's removal of all service-time requirements (the original bill's 20/25-year thresholds) significantly broadens the class of eligible officers, allowing even first-year officers to invoke the statutory presumptions. The amendment closely mirrors the structural framework of the existing firefighter occupational conditions statute, NMSA § 52-3-32.1 (2019), particularly its 24-hour heart injury/stroke provision (Subsection D) and savings clause (Subsection E), thereby achieving parity between police officers and firefighters in occupational disease presumptions.

PERFORMANCE IMPLICATIONS

This law helps officers stay healthy and ready for duty. If things like PTSD, hearing loss, or heart problems are spotted and treated early, officers can recover faster and are more likely to get back to work sooner. Keeping experienced officers healthy also helps the agency run smoothly and keeps valuable knowledge within the team.

This law could also help New Mexico hire and keep good officers. Across the country, police departments compete to hire the best people, and laws that protect officers' health show that the state cares about their long-term well-being. This boosts morale and makes it easier to attract and retain skilled officers, saving money on training new hires and helping the workforce stay stable.

The law also recognizes PTSD as a real work-related condition, which can help reduce the stigma around mental health. When officers know that mental health issues are taken seriously, they may feel more comfortable getting help early. This support leads to healthier officers, stronger teams, and better public safety.

ADMINISTRATIVE IMPLICATIONS

The updated law encourages the Department of Public Safety to offer regular fitness and health checkup programs. Officers need to take part in these programs for some health problems to be covered. This gives DPS a good reason to make sure fitness and health checks are well organized and recorded, which helps keep everyone healthier and safer at work.

The law can also make it easier to handle claims from officers who get sick or injured. By making it clearer what's covered, there should be fewer long arguments and less paperwork. This means less time and money spent on legal battles and more predictable costs for the department.

Clearer rules also help the Department of Public Safety work better with other state offices that handle risk and insurance. When everyone knows exactly what counts as a work-related injury or illness, it's easier to plan for the future and manage costs.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

No conflict, duplication, companionship or relationship to DPS.

TECHNICAL ISSUES

Including noise-induced hearing loss presents an opportunity for DPS to enhance baseline audiometric testing and exposure documentation. By strengthening recordkeeping around firearms training and occupational noise exposure, the department can improve documentation standards and protect both officers and the agency.

The law requires that PTSD must be diagnosed by a doctor or psychologist. This encourages DPS to build strong connections with mental health experts and make sure officers are evaluated in a consistent and professional way. These steps help make support programs for officers even better.

The law mentions that legal challenges will be handled by the right type of court. This gives DPS legal staff a chance to make sure their own rules match up with state workers' comp processes, helping everything run more smoothly.

OTHER SUBSTANTIVE ISSUES

This law treats police officers the same way as firefighters when it comes to job-related health issues. This fairness helps all first responders feel equally valued and encourages teamwork between different groups.

While the law may cost a bit more overtime, it makes things more predictable and easier to manage. By focusing on specific health problems and clearly defining what's covered, it helps control costs. Better wellness programs and early support can also help keep future costs steady.

Most importantly, this law shows that New Mexico cares about the physical and mental health of its officers. By recognizing the real risks officers face, it builds trust, keeps the workforce strong, and helps DPS stay ready to do its job. Supporting officer health helps both employees and public safety.

New Subsection D's savings clause ensures that officers who fall outside the presumption's scope (e.g., heart injury beyond the 24-hour window) are not precluded from pursuing a traditional workers' compensation claim

under § 52-3-32, where the officer must prove proximate causation “as a medical probability by medical expert testimony.” This provision mirrors § 52-3-32.1(E) for firefighters and ensures no officer is worse off than under the current law. Conditioning the heart-injury presumption on the employer maintaining a physical training program and the officer maintaining a current OSHA medical screening creates a reciprocal accountability framework but may incentivize employers to avoid establishing training programs to avoid triggering the presumption.

ALTERNATIVES

Not applicable as no impact to DPS.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo will remain. Police officers would continue to bear the full burden under § 52-3-32 of proving, as a medical probability through expert testimony, that occupational disease was proximately caused by employment, without the benefit of any rebuttable presumption, and the disparity between police officer and firefighter occupational disease protections would persist

AMENDMENTS

None at this time.