

LFC Requester:	Noah Montano
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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: 6 FEB, 2026 *Check all that apply:*
Bill Number: HB166 Original Correction
 Amendment Substitute

Sponsor: <u>Linda Serrato & Alan T. Martinez</u>	Agency Name and Code Number: <u>790 – Department of Public Safety</u>
Short Title: <u>LIMIT RESTRICTION ON CERTAIN FENCES</u>	Person Writing: <u>Alexander J. Rodriguez</u>
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

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

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

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

(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

This bill enacts new limits on county and municipal zoning restrictions, alarm systems, and battery-charged fences, describing battery-charged fences as security fences connected to alarm systems that signal intrusions. It prohibits local zoning authorities—except in purely residential areas—from banning battery-charged fences, imposing requirements that conflict with international safety standards, or requiring permits beyond standard alarm permits. The bill also sets technical and safety requirements for battery-charged fences, including voltage limits, compliance with international energizer standards, enclosure by a non-electric perimeter fence or wall, height requirements, and mandatory warning signs posted at regular intervals.

FISCAL IMPLICATIONS

No fiscal impact to DPS.

SIGNIFICANT ISSUES

No significant issues to DPS. The alarm system definition in Section 3-21-1.1(A)(1) references devices that “alert law enforcement” of burglary, theft, or intrusion; however, this language merely describes the functional purpose of alarm systems and imposes no new duties or response obligations on law enforcement agencies, including the New Mexico State Police. This bill does not directly affect DPS, LEA, or LERB operations.

PERFORMANCE IMPLICATIONS

No performance implications to DPS.

ADMINISTRATIVE IMPLICATIONS

No administrative implications to DPS.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

No conflict, duplication, companionship or relationship to DPS.

TECHNICAL ISSUES

No technical issues to DPS.

OTHER SUBSTANTIVE ISSUES

No other substantive issues to DPS.

ALTERNATIVES

Not applicable as no impact to DPS.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo will remain.

AMENDMENTS

None at this time.