

LFC Requester:

Helen Gaussoin

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: 2/9/26 *Check all that apply:*
Bill Number: HB 201 Original Correction
 Amendment Substitute

Sponsor: Brown, Figueroa **Agency Name and Code** 995 NMC
Short Title: IPRA TASK FORCE FUNDING **Number:** _____
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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)

	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

BILL SUMMARY

Synopsis:

FISCAL IMPLICATIONS

FIR HB201 & HJM2 – IPRA Appropriation & Task Force

County governments support the creation of an IPRA task force convened by the Attorney General and view the associated appropriation as a necessary investment in modernizing a statute enacted long before the realities of digital records, body-worn camera requirements, and email retention. Counties across New Mexico are experiencing a significant increase in IPRA requests that are broader, more complex, and more legally adversarial, placing unsustainable demands on staff and fiscal resources. A comprehensive, stakeholder-driven review is preferable to piecemeal legislative changes and will help ensure transparency is preserved while establishing reasonable, workable guardrails for public bodies charged with compliance.

Local governments are on the front lines of IPRA compliance, yet are often underrepresented in policy development discussions. IPRA’s core purpose—transparency—remains essential, but the current framework places disproportionate operational and financial strain on local governments, particularly counties with limited staff, IT infrastructure, and legal resources. Counties echo the concerns and burdens identified by other public entities:

- IPRA requests are increasing in number, scope, and legal sophistication
- Requests for “all emails” or broad digital records can consume hundreds of staff hours
- Counties must divert staff from core public services to meet statutory deadlines

These pressures are magnified in smaller and rural counties that do not have resources to hire dedicated IPRA staff, have limited IT capabilities, and limited legal counsel. Many counties still rely on contract attorneys, further compounding the costs for IPRA response evaluations. New Mexico courts have signaled that limited staff resources are not an acceptable justification for delays and penalties of up to \$100 per day create real fiscal exposure for counties.

A thoughtful approach to bring together the stakeholders that are directly effected is critical. The memorial seeks to establish a balanced working group to address real-world administrative hurdles. House Judiciary reduced the amount for the convening entity to \$125,000. Counties note that this is a nonrecurring investment that is reasonable and justified for the important work of this task force.

SIGNIFICANT ISSUES

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS