

LFC Requester:	
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**AGENCY BILL ANALYSIS
2026 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

AgencyAnalysis.nmlegis.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}

Check all that apply:

Original **Amendment**
Correction **Substitute**

Date 1/28/2026
Bill No: HB 208-280

Sponsor: Janelle Anyanonu, Dayan Hochman-Vigil, Javier Martínez, and Antoinette Sedillo Lopez
Short Title: LAW ENFORCEMENT ID & CONCEALING IDENTITY

Agency Name and Code LOPD - 280
Number: _____
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: SB 57

Duplicates/Relates to Appropriation in the General Appropriation Act: None known

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

HB 208 would prohibit “peace officers” from wearing “face coverings” while interacting with the public in the performance of the officer’s duties, terms which the Bill defines. It exempts medical-grade surgical masks or N95 or similar respirators and masks designed to protect against smoke exposure during a declared state of emergency.

HB 208 would also require law enforcement officials to carry identification (including the officer’s name, rank and law enforcement agency of employment) when on duty, responding to calls for service, or initiating or conducting investigations involving a member of the public. It would similarly require the officer to display in a conspicuous place on the outmost clothing, the officer’s name, badge number, rank and agency. Finally, it would require the officer to present identifying credentials to a member of the public upon request.

Lastly, HB 208 would prohibit peace officers from “knowingly or willfully” concealing the officer’s identity, including the officer’s face and name of the officer’s agency of employment.

HB 208 would create certain exemptions for the aforementioned provisions for times when the officer is acting pursuant to an authorized undercover operation, when the officer is acting as a member of a special tactical unit, and when the officer conducts explosive recovery or disposal operations.

Violations of the requirements in HB 208 would be misdemeanors.

The bill would take effect immediately.

FISCAL IMPLICATIONS

It is unclear how frequently the proposed new crimes would be charged or how often a defendant peace officer would require representation by LOPD, but any increase in criminal offenses could potentially increase the strain on LOPD. Any defendant charged with a crime has a constitutional right to a defense, and LOPD is tasked with providing that defense. Currently, several LOPD offices are operating at (or above) their caseload capacity. LOPD would have

difficulty absorbing additional cases in these areas if charges were numerous.

In addition to the impact on LOPD, courts, DAs, AGs, and NMCD could anticipate some increased costs if the offenses end up being regularly prosecuted although it unclear how frequently the new crimes would actually be charged.

SIGNIFICANT ISSUES

HB 208 appears designed to address or prevent (1) peace officers (including federal agents) from acting as “secret police” by obscuring their badges, faces, and agencies; and (2) prevent peace officers (including federal agents) from falsely identifying themselves as officers of other governmental entities. Such tactics have been occurring across the country. *See e.g., Kidd v. Noem*, 2:20-cv-03512-ODW (a class action lawsuit filed by the ACLU in California based on federal immigration agents identifying themselves as police and wearing tactical gear also identifying the agents as “police”).

The provisions of HB 208, limiting efforts to obscure faces, badges, names, or employers and requiring them to carry and present identity appears similar to California’s SB 627 “No Secret Police Act.” However, California’s new law includes some additional exemptions and does not include a requirement that the officer present identifying credentials upon request.

HB 208 specifies that it is a violation of the provisions for an officer to “knowingly or willfully” conceal their identity (including their face or agency). It is not clear if these are distinct intents or if they both represent knowing and intentional conduct.

PERFORMANCE IMPLICATIONS

It is unclear how frequently this crime would be charged or how often defendant peace officers would require LOPD resources.

ADMINISTRATIVE IMPLICATIONS

See Fiscal Implications, above

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

SB 57

TECHNICAL ISSUES

It is unclear if the requirement that the officer not “knowingly or willfully” conceal identity refers to two distinct intents or one. It would perhaps be advisable to simply say knowingly, intentionally, or both to clarify the requisite intent.

Reviewer is unaware whether this legislation is germane under Art. IV, Section 5. It is not a budget bill, analyst is unaware if it has been drawn pursuant to a special message of the Governor, and it was not vetoed following the previous regular session.

OTHER SUBSTANTIVE ISSUES

None noted

ALTERNATIVES

Adding additional exemptions or including minor clarification of the intent.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo

AMENDMENTS

None known