

LFC Requester:

Scott Sanchez

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: 2/2/2026 *Check all that apply:*
Bill Number: HB-255-280 Original Correction
 Amendment Substitute

Sponsor: Little, Dixon, Silva, Brown **Agency Name and Code** LOPD 280
Short Public Safety Workforce **Number:** _____
Title: Building Program **Person Writing** Theresa Edwards
Phone: 505-490-5106 **Email** Theresa.edwards@lopdnm.us

SECTION II: FISCAL IMPACT**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
None	Indeterminate	Nonrecurring	General Fund (See below, Fiscal Implications)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
None	Indeterminate	Indeterminate	Nonrecurring	Public Safety Workforce Building Program Fund

(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	-	-	-	-	Nonrecurring	Public Safety Workforce Building Program Fund
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(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: HB 255 repeals three sections of law: 9-6-17 the Law Enforcement Workforce Capacity Building Fund, 9-6-18 the Public Attorney Workforce Capacity Building Fund, and 9-6-19 the Detention and Corrections Workforce Capacity Building Fund. All three funds were originally created by Laws of 2023 to provide grants to the agencies defined as eligible by the fund.

The bill creates a new grant fund, the Public Safety Workforce Building Program, that covers all of the original agencies and groups covered by the Laws of 2023 and combines them all into one fund. The bill also takes the remaining balances of the original funds and combines them into the new fund. There are no other appropriations contained in the bill.

Funds awarded may be spent within 2 years of award date. Any unexpended funds revert back to the Public Safety Workforce Building Program Fund.

FISCAL IMPLICATIONS

The bill sweeps the remaining balances of the original funds and combines them into the new fund. There are no other appropriations contained in the bill. LOPD does not have information on how much money remains in these funds to date.

HB 255 proposes sweeping funds from the original three funds into a new fund. However, all three of the original funds revert back to the General Fund at the end of the fiscal year unless an appropriation provides a different period for expenditure. LOPD is unsure if there are funds to be allocated to the new fund as a result.

Under HB 255, if there are unspent funds reverting every year to the new fund, theoretically there will be money to award grants. There is no recurring appropriation made to sustain the grants.

SIGNIFICANT ISSUES

LOPD’s status as a statewide agency may make it difficult for the agency to access the funding and make it difficult to access the funds in a way that makes sense for the agency. Although Section A of the bill indicates public defender offices are eligible, DFA may find it difficult to implement the district level qualifications for funding listed in Section E of the bill because LOPD is a statewide entity and not serving solely one district. In prior iterations, specific funding was allocated to LOPD.

LOPD has accomplished two major projects with Public Attorney Workforce Capacity Building Fund since FY24. LOPD received and spent almost all the awarded \$1.6 million (the funds expire at the end of FY26).

In FY24, LOPD received 58 applications and placed 13 externs statewide (4 second-year and 9 third-year law students), hiring six third-year externs to begin employment after graduation and bar passage. In FY25, LOPD received 44 applications during a shorter application window and placed 20 externs statewide (13 second-year and 7 third-year students), with two externs hired as full-time defenders to date.

LOPD has set up pay differentials for attorneys to help bring their pay rates closer to the market rate for attorneys including DA attorneys. These range from \$0.76 an hour in ABQ to \$1.30 in remaining areas. These differentials have assisted over 200 attorneys stay in their roles and have made a difference in recruiting new attorneys. Exit interview surveys show most attorneys leave for higher pay. These funds have directly targeted that data and helped reduce the attorney vacancy rate.

Initially, in Laws of 2023 Ch. 210 (HB 2) the legislature allocated \$4 million total to the Public Attorney Workforce Capacity Building Fund, \$2 million each to LOPD and DAs, with \$1 million available per year over the course of two years. However, there was an issue with the way the legislation was written and the second year of funding became unavailable. Remaining funds were returned to the general fund.

In response, in Laws of 2025 Ch. 160 (HB 2) the Leg. included \$1.2 million for DAs (as a supplemental appropriation in HB 2) and \$675.3 thousand (as a special appropriation in HB 2) for LOPD. In short, LOPD received less than the \$1 million initially intended by Laws of 2023 Ch. 210 (HB 2) while the DAs received more than originally intended. This resulted in uneven funding, timing, and availability of funding.

Grant funds are inherently short-term in nature and may not receive long-term funding. It is very difficult to address systemic, long-term issues with short-term grant funding.

PERFORMANCE IMPLICATIONS

Grant funding may impact LOPD performance positively by allowing LOPD to keep in place current initiatives as well as create new ones. IT could positively impact out vacancy rate and other quarterly performance measures.

ADMINISTRATIVE IMPLICATIONS

Grant funding contains administrative burdens of tracking and reporting that are beyond a standard appropriation.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None noted.

TECHNICAL ISSUES

None noted.

OTHER SUBSTANTIVE ISSUES

None noted.

ALTERNATIVES

None noted.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None noted.

AMENDMENTS

LOPD's status as a statewide agency may make it difficult for the agency to access the funding and make it difficult to access the funds in a way that makes sense for the agency. DFA may find that, as LOPD is a statewide entity and not serving solely one district, the agency doesn't qualify for the funds.