

LFC Requester:

Scott Sanchez

AGENCY BILL ANALYSIS - 2026 REGULAR SESSION

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

Original Correction
Amendment Substitute

Sponsor: Reps. Charlotte Little,
Meredith A. Dixon, Sarah
Silva, and Cathrynn N. Brown

Agency Name and Code Number: 305 – New Mexico
Department of Justice

Person Writing

Short Title: Public Safety Workforce
Building Program

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		

(Parenthesis () indicate expenditure decreases)

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

This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator’s request. The analysis does not represent any official policy or legal position of the NM Department of Justice.

BILL SUMMARY

Synopsis: HB 255 consolidates three existing workforce capacity building programs into a single fund for all public safety workforce capacity building programs.

Section 1 creates the public safety workforce capacity building program, a coordinated entity that provides grant funding for initiatives to increase the state’s public safety workforce in law enforcement, firefighting, detention, corrections, district attorneys’ offices, and public defense. The program will exist within the Department of Finance and Administration. The program will consider applications for, and offer grants through, a competitive review process. The bill directs the Department to develop rules and criteria for prioritizing grants that include consideration of the vacancy rate, cost of living, and crime rates; prioritization of the employment of experienced professionals and collaboration among overlapping jurisdictions; and increased investigative, response, and case management capacity. In awarding grants, the program must prioritize allocating its funds to counties with lower populations—the program can allocate up to twenty-five percent of its funding to counties with a population greater than 500,000, thirty-five percent to counties with a population between 100,000 and 500,000, and the remainder to counties with a population below 100,000.

Grants can be used to provide relocation expenses, retention bonuses, professional development initiatives, recruitment campaigns, and equipment upgrades tied to professional development initiatives. Grants should not be used for recurring initiatives, to create a position, or to fund a recurring position. Grantees must report on the use of funds. Likewise, the Department must provide a summary of its grants and their effectiveness to the Legislature on a yearly basis. The Department is granted rulemaking authority to administer the program and fund. Eligible entities to apply for the award include the state or political subdivisions of the state.

Section 2 establishes the nonreverting public safety workforce building fund, which finances the public safety workforce building program. The fund consists of appropriations and other income. The Department will administer the fund.

Section 3 consolidates the existing law enforcement workforce capacity building fund, the public attorney workforce capacity building fund, and the detention and corrections workforce capacity building fund, into the public safety workforce building fund. It transfers the existing funds’ balances into the public safety workforce building fund. It holds that any reference to the preexisting funds shall be deemed as references to the public safety workforce building fund.

Section 4 repeals NMSA 1978, Sections 9-6-17 to -19 (2023), which established the law

enforcement capacity building fund, the public attorney workforce capacity building fund, and the detention and corrections workforce capacity building fund.

Section 5 makes this bill effective as of July 1, 2026.

FISCAL IMPLICATIONS

None.

SIGNIFICANT ISSUES

None.

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

At Subsection 1(E), the bill explains that the fund must allocate money based on the population of the county of the entity's "primary jurisdiction." Where multiple entities collaborate on a single application "each applicant shall receive an award amount based on the applicant's county." There are a few potential issues with this subsection. First, at Subsection 1(K), the bill explains that the state is an eligible entity, so it is unclear how grants to state agencies would be counted for population purposes. Second, unlike law enforcement offices, district attorneys' and public defender's offices are generally organized by judicial districts, not counties (and there are not public defender's offices in every judicial district). The bill does not explain how their populations would be accounted for in grant allocations. For example, the Thirteenth Judicial District includes both Sandoval County (with a population between 100,000 and 500,000) and Cibola and Valencia Counties (with populations less than 100,000). Third, it is unclear what "primary jurisdiction" means. Finally, the subsection states that the Department shall "allocate grant money equitably." It is unclear whether that means something different than the population-allocation formula.

OTHER SUBSTANTIVE ISSUES

The bill repeals Sections 9-6-17 to -19. It may merit consideration to determine, if this new program is designed to consolidate the existing three funds, whether some provisions of the existing funds are intended to carry over. For example, the detention and corrections workforce capacity building fund previously specified that the terms "corrections facility" and "local jail" (the eligible entities for grants) did not cover "a facility operated by a private independent contractor pursuant to an agreement" with the state or political subdivision. NMSA 1978, §

9-6-19(S)(2), (6) (2023). HB 255 does not contain a similar clarification. Likewise, local jails and police departments were only previously eligible to receive funding if they complied with correctional reporting requirements. NMSA 1978, §§ 9-6-17(M)(2), -19(M)(2) (2023). It is unclear if the bill intends to abolish those requirements.

It is not known if there are outstanding grants from the existing three funds (law enforcement, public attorneys, and detention and corrections). If so, it may be helpful to explain the obligations of grantees through the fund consolidation. For example, under Section 9-6-17(Q), law enforcement grantees were obligated to revert unexpended money after the completion of their initiative to the law enforcement workforce capacity building fund. It is unclear if that obligation survives or is modified by HB 255's repeal of Section 9-6-17 (HB 255, for example, imposes a two-year time limit on using funds).

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

None.