

LFC Requester:	
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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: 2-5-26 *Check all that apply:*
Bill Number: SB-256 Original Correction
 Amendment Substitute

Sponsor: <u>Jay C. Block</u>	Agency Name and Code <u>AODA 264</u>
Short Title: <u>Unlawful Interference with Aircraft</u>	Number: _____
	Person Writing <u>Dustin O'Brien</u>
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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

Senate Bill 256 amends the existing statute on unlawful interference with the flight and operation of an aircraft to expand the prohibited conduct and increase penalties. The bill adds lasers to the list of objects that constitute unlawful interference and extends the offense to include interference with aviation support systems. Senate Bill 256 reclassifies the offense as a fourth degree felony with a basic sentence of five years and authorizes a fine of up to \$250,000 for this specific felony. The bill also repeals the penalty section and puts that language in the general sentencing statute.

FISCAL IMPLICATIONS

Senate Bill 256 would have a minimal fiscal impact on state and local criminal justice partners. The bill increases the penalty for unlawful interference with the flight and operation of an aircraft to a fourth degree felony with a higher basic sentence and authorizes a substantial fine of up to \$250,000. While the enhanced penalty may result in longer periods of incarceration or supervision in rare cases, the number of prosecutions for this conduct is historically low, and any increase in workload for law enforcement, district attorneys, public defenders, and the courts is expected to be small and absorbable within existing resources.

No appropriation is contained in the bill.

SIGNIFICANT ISSUES

Senate Bill 256 addresses the growing safety concerns associated with laser strike incidents involving aircraft. Reports of individuals directing lasers at aircraft have increased in recent years, creating a significant risk to pilots, passengers, and people on the ground. Even a brief laser strike can impair a pilot's vision during critical phases of flight and jeopardize the safe operation of the aircraft.

The bill updates the existing interference statute by adding a definition of laser and clarifying that a laser strike constitutes unlawful interference with the flight and operation of an aircraft. This provides clearer statutory authority for law enforcement and prosecutors to respond to these incidents and aligns state law with the safety concerns raised by aviation agencies.

Senate Bill 256 also establishes a higher penalty for this conduct, reflecting the seriousness of a laser strike and the potential for catastrophic consequences. The enhanced penalty may have a deterrent effect and signals the importance of protecting aviation operations from intentional interference.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Senate Bill 103 and Senate Bill 256 both amend the same statutory section governing unlawful interference with the flight and operation of an aircraft. Because both bills modify the same subsection and both address laser strike conduct, they create a direct duplication and potential conflict if enacted together.

The duplication occurs because each bill adds a definition of laser and incorporates a laser strike into the prohibited conduct. Although the definitional language is similar, it is not identical, and the two bills use slightly different phrasing. If both bills pass without reconciliation, the statute would contain overlapping or inconsistent definitions.

The conflict is more significant in the penalty provisions. Senate Bill 103 increases certain violations to a third degree felony, maintaining the existing structure of the statute but elevating the penalty for laser strike conduct. Senate Bill 256, however, creates a separate penalty classification with a five year basic sentence and authorizes a substantially higher fine. These penalty schemes are not compatible. If both bills are enacted, the statute would contain two different penalty levels for the same conduct, creating uncertainty for law enforcement, prosecutors, and the courts.

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL Status Quo

AMENDMENTS