

LFC Requester:

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: 1/12/26 **Bill Number:** HM1 **Original** **Amendment** **Substitute**

Short Title: TASK FORCE PROPOSAL TO RESTRUCTURE CYFD

Sponsor: Rep. Roybal Caballero

Name and Code Number: HCA 630

Person Writing: Jacqueline Nielsen

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
None	None	NA	NA

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
None	None	None	NA	NA

(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	None	None	None		NA	NA

(Parenthesis () Indicate Expenditure Decreases)

SECTION III: NARRATIVE**BILL SUMMARY**

Synopsis: HM1 requests the LFC to create a task force of eighteen (18) members to include: bipartisan legislative representation, key Children, Youth & Families (CYFD) staff, subject-matter experts in social work, behavioral health, foster care and juvenile justice, tribal government, stakeholders and advocacy groups, to study the feasibility and implications of amending the Constitution of NM in order to create a CYFD as an independent department outside the direction of the Office of the Governor. It further establishes an independent governing commission to hire an executive director to assume management and operations of the department. LFC Recommendations are due November 15, 2026, for consideration during the first session of the 58th legislature.

FISCAL IMPLICATIONS

None

SIGNIFICANT ISSUES

None

PERFORMANCE IMPLICATIONS

None

ADMINISTRATIVE IMPLICATIONS

HCA Behavioral Health Service Division and/or Medicaid may likely be called to participate in the taskforce. However, it is unclear whether HCA will be part of the 18-membership composition or just be subject matter experts.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None

TECHNICAL ISSUES

None

OTHER SUBSTANTIVE ISSUES

The memorial anticipates implementing this approach would likely require a constitutional amendment to create a commission appointed by the Legislature, which could raise separation-of-powers and accountability considerations because the New Mexico Constitution separates the powers of the legislative and executive branches absent express constitutional authorization. For

that reason, any proposal emerging from the study would benefit from careful legal review and clear delineation of appointment/oversight authority, transition planning, and the potential impact on coordination with other state agencies- issues the memorial itself asks the task force to examine, including potential legal and constitutional issues.

ALTERNATIVES

None

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo

AMENDMENTS