

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: 1/23/2026 *Check all that apply:*
Bill Number: SB 31 Original Correction
 Amendment Substitute

Sponsor: <u>Antoinette Sedillo</u>	Agency Name and Code Number: <u>Administrative Office of the District Attorneys 264</u>
Short Title: <u>U-Visa Certification ACT</u>	Person Writing: <u>Troy J. Davis</u>
Title: _____	Phone: <u>505-385-8461</u> Email: <u>Davistr@msn.com</u>

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

Synopsis: Senate Bill 31 outlines procedures for victims of qualifying crimes to request U visa certification, which allows them to stay in the U.S. if they assist law enforcement. Key provisions include:

1. **Definitions:** Clarifies terms like "certifying agency," "certifying official," and "qualifying criminal activity."
2. **Eligibility:** Victims must provide credible information and assist law enforcement. Expedited requests are available for those in removal proceedings.
3. **Procedures:** Requests must be processed within 30 days (14 days for expedited). Denials require a written explanation and appeal information.
4. **Appeals:** Victims can appeal denials internally, to the state department of justice, and ultimately to the district court.
5. **Notice and Recordkeeping:** Agencies must publish procedures online and keep detailed records of requests and outcomes.
6. **Private Enforcement:** Victims can seek court relief if their requests are denied after exhausting appeals.

FISCAL IMPLICATIONS

Certifying agency would need to set up an appeal process that would need to be funding with additional personal to handle the appeal process.

SIGNIFICANT ISSUES

Senate Bill is somewhat redundant of federal form I-918 supplement B to federal form I-918 supplement B.

Under the definitions a "certifying agency" includes section (B)(3) a district court, children's court, family court, metropolitan court, magistrate court or municipal court. Under federal law U Visa defines "certifying agency" that "detects, investigates, and/or prosecutes allegations of qualifying crimes, including the conviction, or sentencing of the perpetrator." A U Visa will be rejected by federal government if a judge tries to claim to be a "certifying agency".

Under (B) (5) a tribal or pueblo law enforcement agency. The State of New Mexico does not have jurisdiction to impose law or requirement on tribes or pueblos. Tribe and pueblo are sovereign nations.

"Certifying official" includes a judge which is not a certifying official under federal law.

The victim requests a police report should go through public information act the time requirements of 7 days is not reasonable.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

None

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None

TECHNICAL ISSUES

None

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None