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| LFC Requester: | Scott Sanchez |
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AGENCY BILL ANALYSIS – 2026 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)4.0

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: 1/23/26 *Check all that apply:*
Bill Number: SB50 Original Correction
 Amendment Substitute

| | |
|--|---|
| | Agency Name and Code |
| Sponsor: Antonio Maestas, Crystal Brantley and Pamela Herndon | Number: 790 – Department of Public Safety |
| Short Law Enforcement Training Requirements | Person Writing Jessica Arballo |
| | Phone: 505-394- Email: Jessica.Arballo@dps.nm.g |

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

| Appropriation | | Recurring or Nonrecurring | Fund Affected |
|---------------|-------|---------------------------|---------------|
| FY26 | FY27 | | |
| \$0.0 | \$0.0 | N/A | N/A |
| | | | |

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

| Estimated Revenue | | | Recurring or Nonrecurring | Fund Affected |
|-------------------|------|------|---------------------------|---------------|
| FY26 | FY27 | FY28 | | |
| NFI | NFI | NFI | N/A | N/A |
| | | | | |

(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 | NFI | NFI | NFI | NFI | N/A | N/A |

(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

SB 50 proposes to remove statutory requirements for specific annual in-service training topics for law enforcement officers and public safety telecommunicators, while retaining those topics within basic training. The bill reflects a policy shift toward increased administrative flexibility in determining ongoing training content through rulemaking, standards oversight, and professional governance.

FISCAL IMPLICATIONS

SB 50 does not include a direct appropriation and does not create an immediate fiscal impact to the Department of Public Safety (DPS) or the Law Enforcement Certification Board (LECB). Existing training infrastructure, accreditation processes, and rulemaking authority remain in place.

SIGNIFICANT ISSUES

DPS supports the intent of SB 50 and appreciates emphasis on strengthening and modernizing training statewide. The bill advances a constructive policy goal by enabling training standards to adapt more quickly through rulemaking and professional oversight rather than requiring statutory updates.

To ensure the bill's goals are achieved while preserving statewide consistency and accountability, DPS recommends additional clarity in several areas:

- **Enforceability and alignment:** Removing statutory references to specific in-service topics may reduce the legal clarity that currently supports existing NMAC requirements. Clarifying how statutory authority, NMAC standards, and certification enforcement will align could help preserve enforceability and reduce the risk of legal challenges.
- **Roles and responsibilities:** SB 50 shifts training direction to the Standards and Training Council (STC). DPS values this model, but a clear framework is important given the STC's volunteer structure. Clarifying which entity sets statewide training standards, which entity develops curriculum, and how uniform implementation is ensured across NMLEA and the nine satellite academies would strengthen implementation.
- **Curriculum capacity:** Curriculum design and maintenance are specialized, resource-intensive functions. NMLEA and the STC are currently engaged in a multi-year Job Task Analysis and curriculum redesign. Explicitly addressing expectations, timelines, and resource considerations would help prevent delays and duplicative rework.
- **Transition planning:** The bill does not specify how requirements will be managed during the transition to updated standards. Including interim expectations, grandfathering, compliance timelines, and enforcement authority would help agencies and officers implement changes consistently.
- **Maintaining critical refresher training:** Several topics proposed for removal from statutory in-service requirements (e.g., use of force, domestic violence, child abuse, crisis intervention, mental health response, and officer safety) involve evolving law and best practices. Because in-service training may be the primary ongoing refresher for many officers, ensuring these areas remain addressed through enforceable rules or baseline standards would support readiness and risk reduction.
- **Accountability and liability considerations:** Clear statewide benchmarks support consistent compliance determinations and certification case evaluation. Maintaining objective, defensible training standards can also help reduce civil liability exposure related to inadequate training (including under the

“deliberate indifference” framework recognized in *City of Canton v. Harris*, 489 U.S. 378 (1989), applied in the Tenth Circuit).

DPS supports SB 50’s policy direction and believes these refinements would help ensure the bill is implemented effectively, maintains statewide consistency, and strengthens the long-term defensibility of New Mexico’s training and certification framework.

PERFORMANCE IMPLICATIONS

Over time, reduced statewide consistency in ongoing training expectations could affect readiness and risk mitigation. Clear statewide benchmarks support the ability to assess training effectiveness, identify patterns of concern, and implement timely corrective action.

ADMINISTRATIVE IMPLICATIONS

Implementing the bill will require coordination to align statutes, rules, academy standards, and certification enforcement. Clear transition provisions and defined roles would reduce uncertainty and help limit disputes related to compliance determinations, certification eligibility, remedial actions, and appeals.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Coordination will be needed to ensure consistency between statute, administrative rule, certification enforcement, and any funding eligibility criteria that reference required in-service training.

TECHNICAL ISSUES

Because the bill removes statutory references to required in-service training, related statutory and administrative references—including compliance documentation and any linked eligibility criteria—may need to be revised to avoid conflicting obligations.

OTHER SUBSTANTIVE ISSUES

Clarifying enforceable statewide standards for refresher training would support public confidence, reduce post-incident scrutiny, and strengthen the consistency and defensibility of statewide certification oversight.

ALTERNATIVES

A potential alternative approach is to retain statutory minimum in-service topic areas as baseline standards while authorizing the STC and NMLEA to determine training frequency, implementation methods, and curriculum design through rulemaking. This could preserve statewide consistency while still providing flexibility to modernize and streamline requirements.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

If SB 50 is not enacted, existing statutory and administrative requirements governing in-service training will remain in effect.

AMENDMENTS

DPS recommends consultation with the Standards and Training Council to support implementation and incorporate clarifying language addressing roles, transition planning, and the enforceability of statewide standards. These refinements would help ensure the Council is positioned to implement SB 50 effectively while maintaining consistent statewide training expectations across NMLEA and the nine satellite academies.