

<b>LFC Requester:</b>	
-----------------------	--

**AGENCY BILL ANALYSIS - 2026 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**  
[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto: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:** 1-23-26 *Check all that apply:*  
**Bill Number:** SB-57 Original  Correction   
 Amendment  Substitute

**Sponsor:** Antoinette Sedillo Lopez **Agency Name and Code** AODA 264  
**Short Title:** Concealing Identity of a Peace Officer **Number:** \_\_\_\_\_  
**Person Writing** Dustin O'Brien  
**Phone:** 5054865806 **Email** animasrio@gmail.com

**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
<b>Total</b>						

(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 57 creates new crimes that would only apply to peace officers who conceal their face, badge, name *or* employer identity during searches, seizures, or service of process, including a felony version when done with intent to deceive, intimidate, or interfere with the creation of a public record. The bill updates the impersonation statute to clarify that “peace officer” includes federal, state, and local officers. SB 57 also imposes restrictions on bail bond recovery agents, prohibiting them from representing themselves as law enforcement, using government-style uniforms or badges, or engaging in immigration enforcement without a judicial warrant.

### **FISCAL IMPLICATIONS**

Law-enforcement agencies may incur additional legal-defense and internal-investigation costs when officers are accused of unlawful concealment, particularly given the bill’s broad “cause a person to reasonably believe” standard. District Attorneys will face increased workload to evaluate allegations against officers, requiring review of body-worn camera footage and operational context even when charges are not filed. Agencies may also need to revise policies and training to clarify when protective gear or identity-shielding practices remain permissible, especially to mitigate the chilling effect on law enforcement operations.

### **SIGNIFICANT ISSUES**

The bill’s use of “cause a person to reasonably believe” an officer is acting without lawful authority is broad and may be interpreted inconsistently across agencies, courts, and the public. Because the statute does not define what conduct would trigger a “reasonable belief,” officers may hesitate to use protective gear, tactical masks, or other protective equipment during searches or arrests out of concern that their actions could later be viewed as unlawful concealment. This uncertainty may create a chilling effect on law-enforcement operations, particularly in high-risk situations where identity would be hidden by means of protective gear such as face shields, respirators, chemical masks or helmets. The bill also does not contemplate undercover operations that result in an arrest or plain clothes surveillance that results in the need to take immediate action. This could create concerns related to officer safety and operational effectiveness.

### **PERFORMANCE IMPLICATIONS**

### **ADMINISTRATIVE IMPLICATIONS**

### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

The bill may create direct conflict with current law enforcement operations based on widely accepted procedures that are currently in use by federal, state and local law enforcement agencies when officers are conducting high risk operations.

### **TECHNICAL ISSUES**

## **OTHER SUBSTANTIVE ISSUES**

### **ALTERNATIVES**

Existing civil liability mechanisms in New Mexico, particularly the elimination of qualified immunity, already create strong accountability for unlawful or deceptive conduct by law enforcement making the need for a crime directed exclusively at law enforcement officer conduct unnecessary. Officers can already face personal and agency liability for improper actions and adding criminal penalties could hamper law-enforcement operations by increasing hesitation during high-risk encounters where protective gear or face coverings are used for safety rather than concealment.

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

### **AMENDMENTS**