

LFC Requester:

Scott Sanchez

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: 23 January 2026 *Check all that apply:*
Bill Number: SB 57 Original Correction
 Amendment Substitute

Sponsor: Sedillo Lopez **Agency Name and Code Number:** New Mexico Sentencing Commission (354)
Short Title: Concealing Identity of a Peace Officer **Person Writing:** Douglas Carver
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SECTION II: FISCAL IMPACT**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
	\$451	Nonrecurring	

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:

SB 57 creates the crimes of unlawful concealing of the identity of a peace officer, and aggravated unlawful concealing of the identity of a peace officer.

Unlawful concealing of the identity of a peace officer consists of a peace officer, upon executing a search, seizure or service of process, concealing the peace officer's face, badge, name or employer in a manner that causes a person to reasonably believe the officer is acting without lawful authority. This crime would be a misdemeanor.

Aggravated unlawful concealing of the identity of a peace officer consists of a peace officer, upon executing a search, seizure or service of process, concealing the peace officer's face, badge, name or employer with the intent to deceive or intimidate a person or the public at large or to interfere with the creation of a public record. This crime would be a fourth degree felony.

“Peace officer” is defined in both of these crimes as “a federal, state or local full-time salaried or certified part-time salaried officer who by virtue of office or public employment is vested by law with the duty to maintain the public peace.”

SB 57 also amends Section 30-27-2.1 NMSA 1978, regarding impersonating a peace officer, by changing the definition of “peace officer” so it now reads that peace officer means “a federal, state or local full-time salaried or certified part-time salaried officer who by virtue of office or public employment is vested by law with a duty to maintain the public peace.”

Finally, SB 57 also creates a new section of law placing restrictions on a person authorized to apprehend an individual who fails to appear at the time and place fixed by the terms of the individual’s bail bond. The restrictions cover the person not representing that they are a law enforcement officer or work for any branch of local, state, or federal government. Additionally, the person shall not use their position for the purposes of immigration enforcement, except pursuant to a valid judicial warrant or court order; and shall not disclose or provide in writing, verbally or in any other manner personally identifiable information of a bail fugitive that is requested for purposes of immigration enforcement, except pursuant to a valid judicial warrant or court order. There are no penalties attached to this new section of law.

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

SIGNIFICANT ISSUES

Since FY24, there have been 19 cases filed where Section 30-27-2.1, impersonating a peace

officer, was the lead offense. Of these cases, one had a conviction.

A number of states have recently been considering passing laws that would not allow law enforcement officers, especially federal officers acting under the color of law, to mask themselves and otherwise be unidentifiable when executing their routine functions. Whether such laws will be considered constitutional is unclear. (See Lavender, “Explainer: Can States Prohibit Federal Law Enforcement from Masking on the Job?”, *State Democracy Research Initiative* (University of Wisconsin Law School, Jan. 2025). “[U]nder existing precedent, mask bans are neither clearly prohibited nor clearly permissible. Because the legal doctrine is murky, it is difficult to predict how legal challenges to mask bans might play out.” Available at: https://statedemocracy.law.wisc.edu/featured/2025/explainer-states-prohibit-federal-law-enforcement-masking-on-the-job/#_ftnref6.)

It is difficult to determine what the effect of passing SB 57 would be on the state’s prison population, but the bill could lead to more people being incarcerated by the Corrections Department. The average per day cost to incarcerate someone in the state’s prison system is \$153.08/day; this average includes private and public facilities.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS