

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)

SECTION I: GENERAL INFORMATION

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

Date Prepared: 28 JAN 2026 *Check all that apply:*
Bill Number: SB136 Original Correction
 Amendment Substitute

Sponsor: George Munoz/Pete Campos **Agency Name and Code:** 790 – Department of Public Safety
Short Title: Unlawful use of unmanned aircraft **Person Writing:** Major Lorenzo Aguirre
Phone: 505-551-4713 **Email:** Lorenzo.aguirre@dps.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
NFI	NFI	N/A	N/A
NFI	NFI	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
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

Senate Bill 136 (SB-136) makes it a crime to use a drone to record a person or “critical infrastructure” like pipelines, electric grids, or prisons; or to even fly a drone near such infrastructure.

FISCAL IMPLICATIONS

No fiscal impact to DPS.

SIGNIFICANT IMPLICATIONS

New Mexico possesses broad police powers to protect public safety, security, privacy, and critical public systems. SB 136 falls squarely under the State’s police powers. The State has a compelling interest in safeguarding critical infrastructure, as listed in SB 136, from drone surveillance. The addition of protection against drone surveillance is a novel risk that was not present when traditional privacy and aviation laws were enacted, but it is a reasonable update to criminal statutes to address new technologies that may amplify harm or create new categories of risk.

PERFORMANCE IMPLICATIONS

This bill creates new criminal offenses addressing the unlawful use of unmanned aircraft systems (drones), specifically targeting intentional drone-based surveillance and unsafe drone operations near critical infrastructure facilities. It makes it a crime to use a drone to capture images of a person, private property, or critical infrastructure with the intent to conduct surveillance, and establishes enhanced felony penalties when such conduct facilitates other crimes, involves confidential information, interferes with infrastructure operations, or results in physical contact with sensitive facilities. The bill includes carefully crafted exceptions for lawful government, commercial, academic, and professional uses, ensuring compliance with FAA regulations and protecting constitutional rights. The New Mexico State Police strongly support this Bill because it closes a critical gap in current law, provides clear enforcement authority to address emerging drone threats, enhances officer and public safety, and strengthens protections for essential infrastructure and services statewide, while maintaining a balanced approach that preserves legitimate and lawful drone activity. The improper use of drones and the threats their proliferation poses to both critical infrastructure and overall public safety are critical issues for law enforcement to have the tools to contend with.

ADMINISTRATIVE IMPLICATIONS

No administrative implications to DPS.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

No conflict, duplication, companionship, or relationship to DPS.

TECHNICAL ISSUES

No technical issues to DPS.

OTHER SUBSTANTIVE ISSUES

No other substantive issues to DPS.

ALTERNATIVES

Not applicable as no impact to DPS.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Law enforcement agencies will not have the ability to properly deal with these types of situations, which are growing exponentially in number as drone usage is quickly increasing in society.

AMENDMENTS

None at this time.