

LFC Requester:

Carlie Malone

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: 02/03/2026

Check all that apply:

Bill Number: SB 206Original Correction Amendment Substitute Sponsor: David M. Gallegos, Rex Wilson,
William E. Sharer, Gabriel
Ramos, Jay C. BlockAgency Name
and CodeOffice of Family Representation
and Advocacy – 68000Short Title: Relinquishment of Infants at
Safe Haven Boxes

Person Writing

Lisa M. FittingPhone: 505-538-0134Email lisa.fitting@ofra.nm.gov**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

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

REVENUE (dollars in thousands)

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

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: N/A

Duplicates/Relates to Appropriation in the General Appropriation Act: N/A

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

SB 202 amends the Abuse and Neglect Act to provide for greater anonymity of a parent who relinquishes an infant in a safe haven baby box by: removing the requirement for a CYFD investigation, except to determine if the infant was relinquished in a condition that would not constitute abandonment or abuse of a child pursuant to Section 30-6-1 NMSA 1978; directing CYFD to file a petition for custody as if the infant were abandoned; completing service by publication; and filing a motion to terminate parental rights if the parent does not contact the department within ninety days of the filing of the petition.

It further removes the requirement of notifying grandparents and relatives for infants relinquished at a safe haven site pursuant to the Safe Haven for Infants Act; adds additional notice requirements to the parent relinquishing the infant regarding the right to contact CYFD within ninety days to request reasonable efforts to be made for reunification with the infant.

Finally, SB 202 expands the immunity provision to include a safe haven site that installs and maintains a safe haven baby box.

FISCAL IMPLICATIONS

None identified.

SIGNIFICANT ISSUES

By completely removing the requirement to notify grandparents and relatives of the child, SB 202 makes it unlikely that a parent of a child who was not aware of the relinquishment (the parent who did not give birth to the child) will be stripped of their parental rights without notice. Furthermore, the opportunity for a relative placement, which has been determined to be in the best interests of the child the majority of the time, will be significantly reduced.

There is an inherent tension between protecting the anonymity of the relinquishing parent and protecting the rights and best interests of the other parties involved, including the child.

PERFORMANCE IMPLICATIONS

None identified.

ADMINISTRATIVE IMPLICATIONS

None identified

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None identified

TECHNICAL ISSUES

None identified

OTHER SUBSTANTIVE ISSUES

None identified

ALTERNATIVES

None identified

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo

AMENDMENTS