

LFC Requester:	Malone, Carlie
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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: 2/6/26 *Check all that apply:*
Bill Number: SB 242 Original Correction
 Amendment Substitute

Sponsor: Sen. Shannon D. Pinto **Agency Name and Code:** AOC 218
Short Title: INDIAN FAMILY PROTECTION ACT COMPLIANCE **Person Writing:** Alison B. Pauk
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
None	\$3m	N/A	General

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

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

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: Conflicts:
Duplicates/Relates to Appropriation in the General Appropriation Act:

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: SB 242 provides a three million dollar appropriation to the Office of Tribal Affairs at CYFD for Fiscal Year 2027 for the purpose of contracting “for a field liaison to ensure compliance” with the state Indian Family Protection Act and the federal Indian Child Welfare Act.

There is no effective date of this bill, but the funding is for fiscal year 2027. It is assumed that the effective date is May 20, 2026, which is 90 days following adjournment of the Legislature, but with the funding allocated July 1, 2026.

FISCAL IMPLICATIONS

There will be a minimal administrative cost for statewide update, distribution and documentation of statutory changes. New laws, amendments to existing laws and new hearings have the potential to increase caseloads in the courts, thus requiring additional resources to handle the increase.

SIGNIFICANT ISSUES

Senate Bill 242 provides an appropriation for the Office of Tribal Affairs at CYFD to contract with “field liaisons” who “ensure compliance” with the federal Indian Child Welfare Act (ICWA) and the state Indian Family Protection Act (IFPA) codified in 2022. The bill does not define “field liaison” nor list the requirements and duties of such positions (besides ensuring compliance with ICWA and IFPA). Senate Bill 242 does not state how compliance is ensured, whether by report to the Office of Tribal Affairs, CYFD, the Legislature, or the Courts; court testimony; referrals to the newly created Office of Child Advocate; or other actions.

Additionally, Senate Bill 242 does not mention of the creation of a standardized tool or mechanism for measuring compliance. In 2014, the National Council of Juvenile and Family Court Judges (NCJFCJ) created a 28 page ICWA compliance toolkit called, *Measuring Compliance with the Indian Child Welfare Act: An Assessment Toolkit*, found at <https://www.ncjfcj.org/publications/measuring-compliance-with-the-indian-child-welfare-act-an-assessment-toolkit/>. This toolkit provides a means for assessing a state court’s performance related to compliance with ICWA, but it does not provide guidance to a child welfare agency. The appropriation in SB 242 is only for one fiscal year, and it may take much more time than that for the Office of Tribal Affairs to create a standardized measurement tool, have contractors utilize it and collect data, and assess the results to see whether the “field liaisons” are making a difference in ensuring compliance with IFPA and ICWA.

PERFORMANCE IMPLICATIONS

The courts are participating in performance-based budgeting. This bill may have an impact on the measures of the courts in the following areas:

- Cases disposed of as a percent of cases filed

- Percent change in case filings by case type

ADMINISTRATIVE IMPLICATIONS

See “Fiscal Implications,” above.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS