

LFC Requester:	
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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: 2/10/2026 *Check all that apply:*
Bill Number: Senate Bill 242 Original Correction
 Amendment Substitute

Sponsor: Shannon D. Pinto **Agency Name and Code Number:** 6800 Office of Family Representation and Advocacy
Short Title: Compliance with IFPA and ICWA Appropriation **Person Writing:** Jenessa Garay
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
	\$3,000	Nonrecurring	General Fund

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: Appropriation of three million dollars (\$3,000,000) from the general fund to the children, youth and families department for expenditure in fiscal year 2027 for the office of tribal affairs to contract for a field liaison to ensure compliance with the Indian Family Protection Act (IFPA) and the federal Indian Child Welfare Act (ICWA).

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: The appropriation of three million dollars from the general fund to the children, youth and families department (CYFD) for expenditure in fiscal year 2027 for the office of tribal affairs to contract for a field liaison to ensure compliance with the IFPA and the federal ICWA will benefit the clients served by the Office of Family Representation and Advocacy, which include respondent parents, youth and children in New Mexico. Currently, the children, youth and families department's office of tribal affairs is tasked with ensuring compliance with IFPA and ICWA, yet compliance or near compliance has not been achieved. There is a great need for additional funding and outside expertise to support the office of tribal affairs' efforts to assist CYFD in complying with the full letter and spirit of IFPA and ICWA, leading to better outcomes for Indian children and their families, as well as enhanced respect for Tribes, Pueblos, and Nations, greater recognition of tribal sovereignty, and enhanced fidelity to the government-to-government relationships required by law.

A contracted field liaison will bring knowledge and expertise of IFPA and ICWA without the constraints of specific job positions available within the office of tribal affairs. A field liaison will provide opportunity for checks and balances outside of the agency to accomplish compliance. The field liaison should have knowledge of IFPA, ICWA, tribal customs, traditions, tribal child rearing practices and the ability to effectively communicate with Tribes, Nations and Pueblos throughout the country, while respecting tribal sovereignty.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES: Additional funding to the office of tribal affairs to create a new specific position for IFPA and ICWA compliance director.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL: Not enacting this bill will continue CYFD's lack of compliance with ICWA and IFPA.

AMENDMENTS