

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: 5 February 2026

Check all that apply:

Bill Number: SB 256Original Correction Amendment Substitute Sponsor: BlockShort Title: Unlawful interference with anaircraftAgency Name
and Code

Number:

New Mexico Sentencing
Commission (354)

Person Writing

Phone: 505-239-8362Douglas CarverEmail dhmcarver@unm.edu**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 256 amends Section 64-1-22 NMSA 1978, regarding unlawful interference with the flight of aircraft, by changing the elements of the crime. The crime is expanded to include interfering with the operation of the aircraft as well, and the use of a laser (which is defined) is added to the list of items that could be used to interfere. Additionally, an aviation support system is included in the list of things that might be interfered with.

There is a proposed new sentence for this expanded crime – it is still a fourth degree felony, but with a special penalty and a special fine. The criminal penalty basic sentence is five years imprisonment (versus the normal 18 months). The potential fine is up to \$250,000.

The bill also repeals Section 64-1-23 NMSA 1978, which is the section of law containing the existing penalty (a standard fourth degree felony) for unlawful interference with the flight of aircraft.

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 Federal Aviation Administration is concerned about laser strikes on aircraft (see “FAA Maintains Focus on Dangerous Laser Strikes” from the FAA website (March 2025), available here: <https://www.faa.gov/blog/clearedfortakeoff/faa-maintains-focus-dangerous-laser-strikes>), as is the FBI (see “Preventing Laser Strikes on Aircraft”, FBI News (March 2024), available here: <https://www.fbi.gov/news/stories/preventing-laser-strikes-on-aircraft>).

In FY24, there were no charges brought under Section 64-1-22 as a lead offense in our state courts.

It is difficult to determine what the effect of passing SB 256 would be on the state’s prison population, but given the rarity of the charge, any impact would be minimal. 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