

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, amendment, substitute or a correction of a previous bill}

Date Prepared: 5 FEB 2026 *Check all that apply:*
Bill Number: SB 256 Original X Correction
 Amendment Substitute

Sponsor: Jay C. Block **Agency Name and Code:** 790 – Department of Public Safety
Short Title: Unlawful interference with aircraft. **Person Writing:** Major Lorenzo Aguirre
Phone: 505-551-4713 **Email:** lorenzo.aguirre@dps.nm.gov.nm.us

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
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

(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 256 (SB256) changes state aviation law to redefine the fourth degree felony of interference with the flight and operation of an aircraft. The bill adds using a laser to the existing offence of unlawful interference which prohibits shooting a firearm or launching a missile, projectile, or other object into flight to strike or collide with a flying aircraft or aviation support system. The Criminal Procedure Act is amended to include a penalty of five years imprisonment for the crime of unlawful interference with aircraft flight or operations.

FISCAL IMPLICATIONS

No fiscal impact to DPS.

SIGNIFICANT ISSUES

The New Mexico State Police strongly supports the proposed legislative changes relating to unlawful interference with the flight and operation of an aircraft.

This legislation appropriately addresses a serious and growing threat to public safety by modernizing New Mexico law to include the intentional use of firearms, projectiles, lasers, or other objects that interfere with aircraft and aviation support systems. Acts such as directing lasers at aircraft pose significant risks to pilots, passengers, air crews, emergency responders, and individuals on the ground, and have the potential to result in catastrophic outcomes.

By establishing unlawful interference with the flight and operation of an aircraft as a fourth-degree felony, the proposed statute reflects the severity of these offenses and provides law enforcement officers and prosecutors with clear authority and meaningful enforcement tools. The inclusion of a substantial fine further strengthens deterrence and reinforces the seriousness of conduct that endangers aviation operations.

The New Mexico State Police routinely rely on aviation assets for emergency response, medical transport coordination, search and rescue operations, and disaster response. Protecting the safe operation of aircraft is essential to fulfilling these public safety missions and safeguarding critical infrastructure throughout the state.

Additionally, repealing Section 64-1-23 NMSA 1978 and consolidating enforcement under a clear and updated statutory framework improves consistency, clarity, and effectiveness within New Mexico's criminal code. Additionally, SB256 provides consistency with existing federal law under 18 U.S.C. § 39A.

For these reasons, the New Mexico State Police strongly supports this bill and believes it will significantly enhance aviation safety, strengthen deterrence, and improve the State's ability to protect the public.

PERFORMANCE IMPLICATIONS

No performance implications to DPS.

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

Status quo will remain.

AMENDMENTS

SB256 could include exceptions similar to those under federal law (18 U.S.C. § 39A), such as,
(1) an authorized individual in the conduct of research and development or flight test operations conducted by an [aircraft](#) manufacturer, the Federal Aviation Administration, or any other person authorized by the Federal Aviation Administration to conduct such research and development or flight test operations;
(2) members or elements of the Department of Defense or Department of Homeland Security acting in an official capacity for the purpose of research, development, operations, testing, or training; or
(3) by an individual using a laser emergency signaling device to send an emergency distress signal.