

LFC Requester: \_\_\_\_\_

**AGENCY BILL ANALYSIS - 2026 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO  
[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto: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:** \_\_\_\_\_ *Check all that apply:*  
**Bill Number:** SM019 Original  Correction   
 Amendment  Substitute

**Sponsor:** S Pinto **Agency Name and Code** CYFD - 690  
**Short Title:** STUDY INDIAN CHILD WELFARE LAWS **Number:** \_\_\_\_\_  
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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		

**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
<b>Total</b>		80.0			Nonrecurring	General

(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: This memorial asks the Attorney General, in consultation with the Children Youth and Families Department and the Indian Affairs Department, conduct a nationwide study of Indian child welfare laws and the effect of those laws on Native American children in foster care, and report findings and recommendations to the appropriate interim committees by October 1, 2026.

### **FISCAL IMPLICATIONS**

There is no appropriation contained within this memorial. The scope of the report will require CYFD to dedicate the equivalent of one FTE (\$80.0) to the consultation effort. CYFD cannot absorb this fiscal implication with existing resources.

### **SIGNIFICANT ISSUES**

While the memorial asks that the study's "findings and recommendations" be reported, the resolution portion of the memorial does not indicate the topic or intent of the requested recommendations. Presumably the topic or intent is that mentioned in the final "Whereas", specifically that "provisions contained in the laws of other states relating to Native American children in foster care could provide guidance on how New Mexico could improve its laws regarding Native American children in foster care".

The memorial asks that a nationwide study of laws and effects of laws be conducted in time to submit a report with recommendations by October 1, 2026. While such a study would be valuable if it is then used to inform policy and practice, the abbreviated timeline of this request will require dedicated FTE to ensure the review's quality.

The memorial only asks that the "effect of those laws on ... children" be considered, which precludes input from the Nations, Pueblos, and Tribes affected by these laws.

### **PERFORMANCE IMPLICATIONS**

CYFD has performance measures which could benefit from a thorough, objective review of best practices in other states which results in culturally appropriate, properly funded, policy and practice.

### **ADMINISTRATIVE IMPLICATIONS**

### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

### **TECHNICAL ISSUES**

### **OTHER SUBSTANTIVE ISSUES**

### **ALTERNATIVES**

### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

### **AMENDMENTS**