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SENATE BILL 57

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

INTRODUCED BY

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AN ACT

RELATING TO CRIME; CREATING THE CRIME OF UNLAWFUL CONCEALING OF
THE IDENTITY OF A PEACE OFFICER; CREATING THE CRIME OF
AGGRAVATED UNLAWFUL CONCEALING OF THE IDENTITY OF A PEACE
OFFICER; PROVIDING THAT IMPERSONATING A PEACE OFFICER INCLUDES
A FEDERAL, STATE OR LOCAL OFFICER; PROVIDING RESTRICTIONS ON A
PERSON AUTHORIZED TO APPREHEND AN INDIVIDUAL WHO FAILS TO
APPEAR AT THE TIME AND PLACE FIXED BY THE TERMS OF THE
INDIVIDUAL'S BAIL BOND; PROVIDING PENALTIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of Chapter 30, Article 20 NMSA
1978 is enacted to read:

"[NEW MATERIAL] UNLAWFUL CONCEALING OF THE IDENTITY OF A
PEACE OFFICER--AGGRAVATED UNLAWFUL CONCEALING OF THE IDENTITY
OF A PEACE OFFICER--PENALTIES.--

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1 A. Unlawful concealing of the identity of a peace
2 officer consists of a peace officer, upon executing a search,
3 seizure or service of process, concealing the peace officer's
4 face, badge, name or employer in a manner that causes a person
5 to reasonably believe the officer is acting without lawful
6 authority. Whoever commits unlawful concealing of the identity
7 of a peace officer is guilty of a misdemeanor.

8 B. Aggravated unlawful concealing of the identity
9 of a peace officer consists of a peace officer, upon executing
10 a search, seizure or service of process, concealing the peace
11 officer's face, badge, name or employer with the intent to
12 deceive or intimidate a person or the public at large or to
13 interfere with the creation of a public record. Whoever
14 commits aggravated unlawful concealing of the identity of a
15 peace officer is guilty of a fourth degree felony.

16 C. As used in this section, "peace officer" means a
17 federal, state or local full-time salaried or certified part-
18 time salaried officer who by virtue of office or public
19 employment is vested by law with the duty to maintain the
20 public peace."

21 SECTION 2. Section 30-27-2.1 NMSA 1978 (being Laws 1999,
22 Chapter 120, Section 1) is amended to read:

23 "30-27-2.1. IMPERSONATING A PEACE OFFICER.--

24 A. Impersonating a peace officer consists of:

25 (1) without due authority exercising or

1 attempting to exercise the functions of a peace officer; or

2 (2) pretending to be a peace officer with the
3 intent to deceive another person.

4 B. Whoever commits impersonating a peace officer is
5 guilty of a misdemeanor. Upon a second or subsequent
6 conviction, the offender is guilty of a fourth degree felony.

7 C. As used in this section, "peace officer" means
8 ~~[any public official or public]~~ a federal, state or local full-
9 time salaried or certified part-time salaried officer who by
10 virtue of office or public employment is vested by law with a
11 duty to maintain ~~[public order or to make arrests for crime,~~
12 ~~whether that duty extends to all crimes or is limited to~~
13 ~~specific crimes]~~ the public peace."

14 SECTION 3. [NEW MATERIAL] RESTRICTIONS ON A PERSON
15 AUTHORIZED TO APPREHEND AN INDIVIDUAL WHO FAILS TO APPEAR AT
16 THE TIME AND PLACE FIXED BY THE TERMS OF THE INDIVIDUAL'S BAIL
17 BOND.--

18 A. A person, other than a certified peace officer,
19 authorized to apprehend an individual who fails to appear at
20 the time and place fixed by the terms of the individual's bail
21 bond:

22 (1) shall not represent that person's self in
23 a manner as being a sworn peace officer;

24 (2) shall not wear a uniform that represents
25 that person's self as belonging to a part or department of a

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1 federal, state or local government. A uniform shall not
2 display the words "United States", "bureau", "task force",
3 "federal" or other substantially similar words that a
4 reasonable person may mistake for a government agency;

5 (3) shall not wear or otherwise use a badge
6 that represents that person's self as belonging to a part or
7 department of a federal, state or local government;

8 (4) shall not use a fictitious name that
9 represents that person's self as belonging to a federal, state
10 or local government;

11 (5) may wear a jacket, shirt or vest with the
12 words "Bail Bond Recovery Agent", "Bail Enforcement" or "Bail
13 Enforcement Agent", if applicable, displayed in letters at
14 least two inches high across the front or back of the jacket,
15 shirt or vest and in a contrasting color to that of the jacket,
16 shirt or vest;

17 (6) shall not use that position for the
18 purposes of immigration enforcement, except pursuant to a valid
19 judicial warrant or court order; and

20 (7) shall not disclose or provide in writing,
21 verbally or in any other manner personally identifiable
22 information of a bail fugitive that is requested for purposes
23 of immigration enforcement, except pursuant to a valid judicial
24 warrant or court order.

25 B. The provisions of this section do not prohibit

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1 or restrict a governmental entity or official from sending to,
2 or receiving from, federal immigration authorities information
3 regarding the citizenship or immigration status, lawful or
4 unlawful, of a person or from requesting from federal
5 immigration authorities immigration status information, lawful
6 or unlawful, of a person or maintaining or exchanging that
7 information with another federal, state or local governmental
8 entity.

9 C. As used in this section, "immigration
10 enforcement" means efforts to investigate, enforce or assist in
11 the investigation or enforcement of a federal civil immigration
12 law and includes all efforts to investigate, enforce or assist
13 in the investigation or enforcement of a federal criminal
14 immigration law that penalizes a person's presence in, entry or
15 reentry to or employment in the United States.