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AN ACT
RELATING TO PUBLIC SAFETY; CREATING THE PUBLIC SAFETY
WORKFORCE BUILDING PROGRAM; CREATING THE PUBLIC SAFETY
WORKFORCE CAPACITY BUILDING FUND AS A NONREVERTING FUND IN
THE STATE TREASURY; PROVIDING FOR EXPENDITURES FROM THE FUND;
PROVIDING GRANT AWARD CRITERIA PRIORITIZING RECRUITMENT,
JURISDICTIONAL COLLABORATION AND INVESTIGATIONS; LIMITING THE
USES OF GRANT MONEY; REQUIRING REPORTS; TRANSFERRING TO THE
PUBLIC SAFETY WORKFORCE CAPACITY BUILDING FUND THE REMAINING
BALANCES FROM THE LAW ENFORCEMENT WORKFORCE CAPACITY BUILDING
FUND, THE PUBLIC ATTORNEY WORKFORCE CAPACITY BUILDING FUND
AND THE DETENTION AND CORRECTIONS WORKFORCE CAPACITY BUILDING
FUND; REPEALING SECTIONS 9-6-17 THROUGH 9-6-19 NMSA 1978
(BEING LAWS 2023, CHAPTER 188, SECTIONS 1 THROUGH 3); MAKING
APPROPRIATIONS.

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

SECTION 1. PUBLIC SAFETY WORKFORCE BUILDING PROGRAM--
GRANTS.--

A. The "public safety workforce building program"
is created in the department to provide grant funding for
initiatives to increase the state's available workforce and
capacity for employment of public safety professionals in law
enforcement, firefighting, detention or corrections and
licensed attorneys working in district attorney offices or

1 public defender offices and to purchase equipment in
2 furtherance of the program's objectives.

3 B. To receive a grant, an applicant shall apply to
4 the department on a form and in a manner prescribed by the
5 department. An application shall include:

6 (1) a description of the initiative proposed
7 by the applicant;

8 (2) a description of the initiative that
9 demonstrates it will meet an objective of the program; and

10 (3) details and specifics as to the
11 reasonable expected costs and completion date of the proposed
12 initiative.

13 C. The department shall determine which proposed
14 initiatives are approved to receive a grant through a
15 competitive review process pursuant to rules promulgated by
16 the department. The department may adjust the amount of
17 money requested for a proposed initiative based on its
18 determination of the reasonable costs of the initiative.
19 Once an initiative is approved, the department shall promptly
20 offer each applicant a grant, as appropriate. If a grantee
21 accepts an offer, the initiative may commence, and the
22 grantee shall report to the department on the progress of the
23 initiative on a periodic basis, as determined by the
24 department, including an accounting of expenditures made for
25 the initiative. Funds allocated to an approved initiative

1 shall be spent within two years of receiving a grant, and if
2 any unexpended balance remains at the end of the initiative
3 period, the grantee shall immediately return that balance to
4 the department. The department shall deposit returned
5 amounts in the public safety workforce capacity building
6 fund.

7 D. The department shall develop criteria to guide
8 determinations for awarding a grant and shall:

9 (1) take into consideration:

10 (a) an applicant's public safety
11 professional vacancy rate;

12 (b) the cost of living and comparable
13 market compensation for an applicant's locality; and

14 (c) the crime rates in an applicant's
15 locality; and

16 (2) prioritize consideration of applicant
17 proposals for initiatives that:

18 (a) target the recruitment of
19 individuals who are experienced public safety professionals
20 and not currently employed by a governmental entity within
21 the state;

22 (b) include collaborations between
23 overlapping jurisdictions; and

24 (c) increase investigative, response or
25 case management capacity, including recruitment or retention

1 of personnel or training existing personnel to serve in new
2 public safety roles.

3 E. The department may award a grant to an eligible
4 entity and shall allocate grant money equitably. For the
5 purposes of this subsection, if applicants whose primary
6 jurisdictions are within different counties apply jointly for
7 a grant and the grant is awarded, each applicant shall
8 receive an award amount based on the applicant's county. The
9 department shall award grants based on an applicant's county
10 as follows:

11 (1) up to twenty-five percent of the money
12 in the fund at the time of the award, less administrative
13 costs as provided in Section 2 of this 2026 act, for grants
14 awarded to applicants whose primary jurisdiction is within a
15 county with a population of at least five hundred thousand
16 according to the most recent federal decennial census;

17 (2) up to thirty-five percent of the money
18 in the fund at the time of the award, less administrative
19 costs as provided in Section 2 of this 2026 act, for grants
20 awarded to applicants whose primary jurisdiction is within a
21 county with a population of at least one hundred thousand but
22 less than five hundred thousand according to the most recent
23 federal decennial census; and

24 (3) any amount of available money remaining
25 in the fund for grants awarded to applicants whose primary

1 jurisdiction is within a county with a population of less
2 than one hundred thousand according to the most recent
3 federal decennial census.

4 F. A grantee may use a grant to:

5 (1) provide a recruitment differential
6 disbursement, including a disbursement for relocation
7 expenses for a newly hired public safety professional;
8 provided that the public safety professional hired remains
9 employed with the grantee for a period of time as provided by
10 rule of the department;

11 (2) provide a retention differential
12 disbursement to a public safety professional who is already
13 employed by the grantee and who is not an elected public
14 official; provided that the public safety professional
15 remains employed with that grantee for a period of time as
16 provided by rule of the department;

17 (3) implement professional development
18 initiatives designed to recruit, train or retain public
19 safety professionals;

20 (4) implement campaigns to recruit in-state
21 or out-of-state public safety professionals; or

22 (5) pay for equipment or equipment upgrades
23 tied to professional development initiatives designed to
24 recruit public safety professionals.

25 G. A grantee shall not use a grant:

1 (1) for a recurring initiative, unless the
2 grantee first provides a plan to replace nonrecurring funds
3 with recurring funds to fund the initiative; or

4 (2) to create a public safety professional
5 position or fund the base salary of an existing public safety
6 position.

7 H. Within ninety days of receiving a grant, and
8 every ninety days thereafter until the earliest of either the
9 completion of the grantee's initiative or when the funds are
10 expended, the grantee shall provide to the department a
11 report containing the grantee's initiative expenditures. Any
12 unexpended balance remaining after completion of the
13 initiative shall revert to the fund within thirty days of
14 completion.

15 I. By November 1 of each fiscal year, the
16 department shall provide an annual report regarding the
17 program to the legislative finance committee that includes:

18 (1) information about each grant applicant,
19 the grant amount requested and the title and description of
20 the applicant's proposed initiative;

21 (2) grantee information, including the
22 grantee's agency, the grant amount awarded and the title and
23 description of the grantee's initiative;

24 (3) data collected and evaluations by the
25 department regarding the efficacy of the initiatives of grant

1 award recipients; and

2 (4) the status of ongoing workload studies
3 and the results of completed workload studies.

4 J. The department shall promulgate rules to
5 administer the program. At a minimum, the rules shall
6 include provisions to:

7 (1) establish procedures for submission of
8 applications and review, evaluation and approval of proposed
9 initiative applications;

10 (2) accord priority attention to areas with
11 the greatest need; and

12 (3) evaluate the ability and competence of
13 an applicant to provide efficiently and adequately for the
14 completion of a proposed initiative.

15 K. As used in this section:

16 (1) "department" means the department of
17 finance and administration;

18 (2) "eligible entity" means the state or a
19 political subdivision of the state; and

20 (3) "fund" means the public safety workforce
21 capacity building fund.

22 **SECTION 2. PUBLIC SAFETY WORKFORCE CAPACITY BUILDING**

23 **FUND--CREATED.--**The "public safety workforce capacity
24 building fund" is created as a nonreverting fund in the state
25 treasury to support the objectives of the public safety

1 workforce building program. The fund consists of
2 distributions, appropriations, gifts, grants, donations and
3 income from investment of the fund. Money in the fund is
4 appropriated to the department of finance and administration.
5 Expenditures from the fund shall be made on warrant of the
6 secretary of finance and administration pursuant to vouchers
7 signed by the secretary of finance and administration or the
8 secretary's authorized representative. The department of
9 finance and administration shall administer the fund to
10 provide grant disbursements and pay administrative costs
11 necessary to carry out the provisions of Section 1 of this
12 2026 act; provided that the amount expended for
13 administrative costs shall not exceed three percent of the
14 annual balance of the fund.

15 **SECTION 3. TEMPORARY PROVISION.--**On and after July 1,
16 2026, statutory references to the law enforcement workforce
17 capacity building fund, the public attorney workforce
18 capacity building fund or the detention and corrections
19 workforce capacity building fund shall be deemed to be
20 references to the public safety workforce capacity building
21 fund, and on July 1, 2026:

22 A. the balance in the law enforcement workforce
23 capacity building fund is transferred to the public safety
24 workforce capacity building fund;

25 B. the balance of the public attorney workforce

1 capacity building fund is transferred to the public safety
2 workforce capacity building fund;

3 C. the balance of the detentions and corrections
4 workforce capacity building fund is transferred to the public
5 safety workforce capacity building fund;

6 D. the balance from the appropriations in
7 Subsection (7) of Section 10 of Chapter 54 of Laws 2022 is
8 transferred to the public safety workforce capacity building
9 fund;

10 E. the balance from the appropriations in
11 Subsection (48) of Section 5 of Chapter 210 of Laws 2023 is
12 transferred to the public safety workforce capacity building
13 fund; and

14 F. the balances from the appropriations in
15 Subsections (36) and (42) of Section 5 of Chapter 69 of Laws
16 2024 are transferred to the public safety workforce capacity
17 building fund.

18 **SECTION 4. REPEAL.**--Sections 9-6-17 through 9-6-19 NMSA
19 1978 (being Laws 2023, Chapter 188, Sections 1 through 3) are
20 repealed.

21 **SECTION 5. EFFECTIVE DATE.**--The effective date of the
22 provisions of this act is July 1, 2026. _____