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FISCAL IMPACT REPORT

BILL NUMBER: Senate Bill 302

SHORT TITLE: Children's Code Proceeding Filing Fees

SPONSOR: Pinto/Sedillo Lopez/Lopez

LAST ORIGINAL
UPDATE: _____ **DATE:** 2/7/2026 **ANALYST:** Hanika-Ortiz

REVENUE* (dollars in thousands)

Type	FY26	FY27	***FY28	***FY29	***FY30	Recurring or Nonrecurring	Fund Affected
District Courts/per 1,000 cases		(At least \$97.5)	(At least \$97.5)	(At least 97.5)	(At least \$97.5)	Recurring	Court Operating Funds

Parentheses indicate revenue decreases.

*Amounts reflect most recent analysis of this legislation.

**Filing fees are not tied to inflation or another index. They can stay at the same rate for long periods.

Sources of Information

LFC Files

Agency or Agencies That Were Asked for Analysis but did not Respond
Administrative Office of the Courts

SUMMARY

Synopsis of Senate Bill 302

Senate Bill 302 (SB302) amends Section 32A-1-19 NMSA 1978 to require the court to pay filing fees for Children's Code proceedings; not the child, the child's family or parties on their behalf.

This bill does not contain an effective date and, as a result, would go into effect 90 days after the Legislature adjourns, which is May 20, 2026.

FISCAL IMPLICATIONS

The bill shifts fees to court budgets, in effect, to the state, which is manageable and not expected to be large, in comparison to the court's total budget. Presently, individuals can ask for a waiver of filing fees if they cannot afford them; therefore, some courts may already waive fees. Proof of low-income typically requires check stubs or proof of benefits such as Medicaid coverage. Overall, the fiscal impact on court budgets will depend on case volume and total fees forgiven.

Courts have a process for waiving fees that applies to cases beyond the Children’s Code. This bill removes the burden of completing that process, providing proof of need, and waiting for outcome.

New Mexico district courts handle Children’s Code cases such as abuse/neglect, juvenile delinquency, custody disputes, etc. Filing fees are in the \$130 range for Children’s Code cases. The revenue impact table above assumes for every 1,000 cases filed, 75 percent could have paid fees, which under the bill is waived for all. The loss is about \$97.5 thousand for every 1,000 cases.

SIGNIFICANT ISSUES

The bill adds filing fees for proceedings under the Children’s Code to the list of expenses the court already covers. Those expenses include fees for service of summons, notices, and subpoenas, in addition to the reasonable travel and other expenses of witnesses, attorneys and guardians.

PERFORMANCE IMPLICATIONS

The bill removes barriers for children and their families, especially in mandated proceedings.

ADMINISTRATIVE IMPLICATIONS

The bill would reduce the amount of fee waiver requests reviewed by clerks and judges.

AHO/cf/sgs