

New Mexico Association of Counties

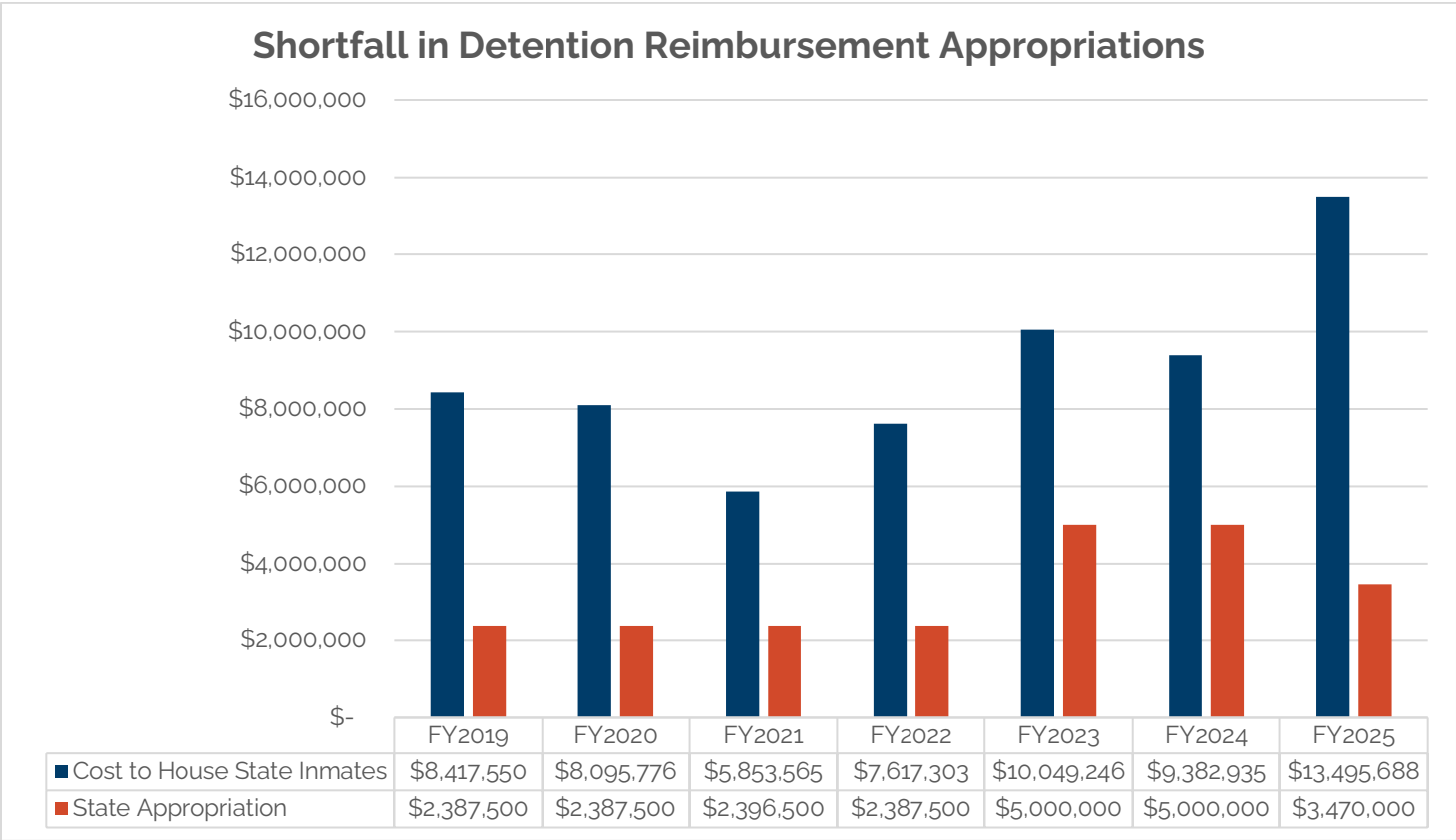
2027 Legislative Priorities



Detention Reimbursement Fund

New Mexico Counties requests that the legislature appropriate **\$9,382,935 to the county detention reimbursement fund**. This is the amount calculated by the NM Sentencing Commission that is required to fully reimburse counties pursuant to NMSA 1978 §33-3B-4, to reimburse counties the actual FY24 cost for housing felony offenders who have been sentenced to confinement in state correctional facilities.

The County Detention Reimbursement Fund was created in 2007 with a \$5 million appropriation following litigation which resulted in an NM Court of Appeals decision holding that the state is required to pay counties for the cost of housing state inmates. The state has consistently failed to appropriate sufficient funds to satisfy its legal requirement. In the past 5 years the shortfall has amounted to nearly \$40 million.



700 MHz Radios

New Mexico Counties requests **\$6 million** in continued funding to the Department of Information Technology for use in FY2027 to fund the payment of subscriber fees for the digital trunked radio communications system for municipal, county and tribal public safety agencies that provide law enforcement, fire, medical or other emergency services.

Special Appropriation for Disabled Veterans Exemption

New Mexico Counties is requesting that the legislature consider an appropriation to offset operational revenue losses in counties that reach the mill rate cap as a direct result of veterans' exemptions enacted by the legislature. Yield control redistributes this revenue loss to other property owners, but only up to the Constitutional mill rate cap. Once that cap is reached, local governments and special districts will experience a direct revenue loss which may result in the need to cut critical community services.

Emergency Medical Services as an Essential Government Service

Support necessary changes to state statute that will recognize emergency medical service (EMS) providers, both career and volunteer, as delivering essential services and an integral part of the state's health-care infrastructure. By reflecting this designation, NMAC aims to strengthen counties' eligibility for future federal appropriations, particularly in rural communities where EMS resources are most strained.

Inspection of Public Records Improvements

County	2020	2021	2022	2023	2024
Bernalillo	199	253	267	313	362
Catron			1	4	4
Chavez				11	10
Curry	3	6	7	5	7
Doña Ana	31	67	86	112	128
Eddy		51	78	105	110
Los Alamos	40	32	46	44	47
Otero	24	15	14	21	26
San Juan				340	358
San Miguel	9	10	12	12	16
Santa Fe	53	54	56	85	93
Torrance		21	33	44	46
Valencia				39	72

*Monthly IPRA Requests (blank cells denote no data. Source NMML IPRA Data source

New Mexico Counties seeks to amend the Inspection of Public Records Act (IPRA) — including consensus recommendations developed by the Department of Justice’s Inspection of Public Records Task Force — to limit abusive requests, protect crime victims and juveniles, and secure critical infrastructure.

IPRA was intended to provide government accountability and transparency. Instead, overwhelmingly burdensome and often frivolous requests have been submitted solely for the purpose of interfering with vital services such as elections and public safety.

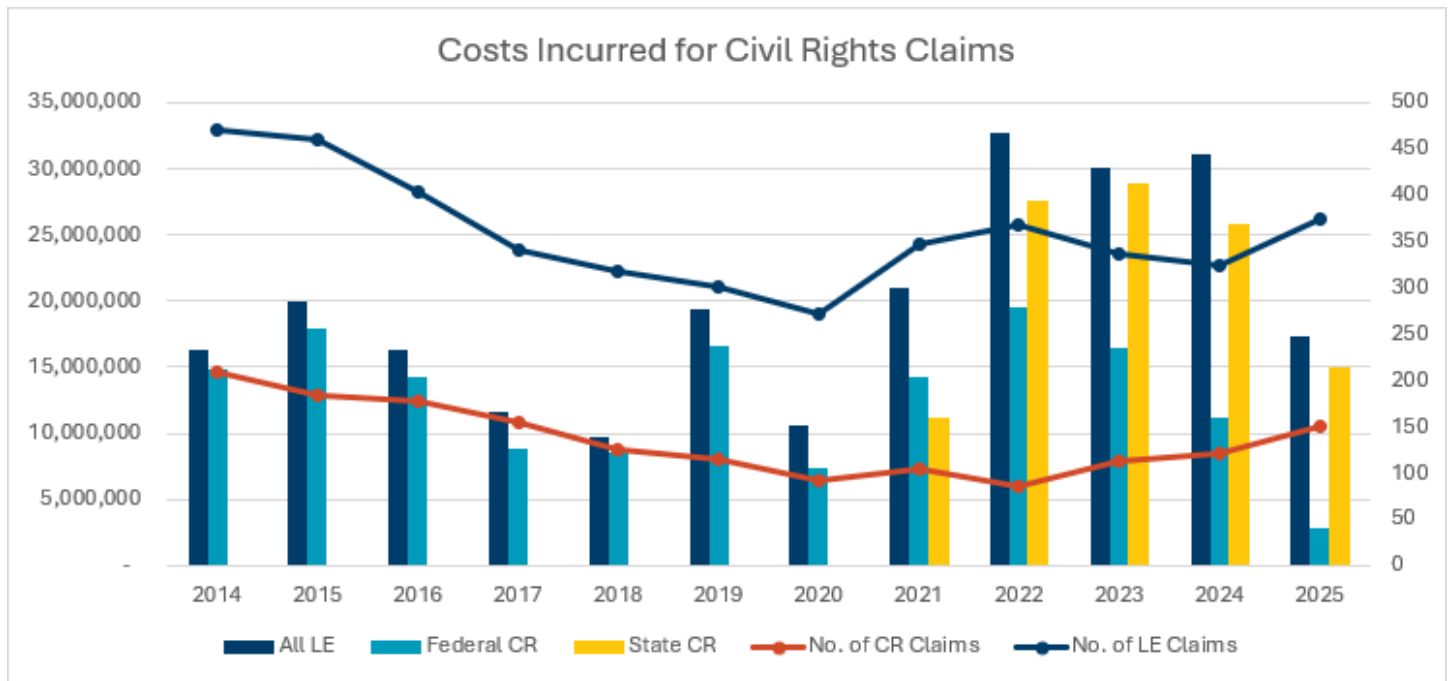
For the past three years, NMC has worked with multiple stakeholders to refine this proposal and identify solutions that do not interfere with the original intent of the Act. In 2023, HB232: Disclosure of Certain Information amended IPRA by enacting changes for the protection of critical IT systems, undercover law enforcement, and restricting certain proprietary technical and business information. It was the first time that IPRA had been amended since its enactment.

Government Solvency (NMCRA)

Since New Mexico enacted the Civil Rights Act (NMCRA) in 2021, the cost of law enforcement liability claims covered by the New Mexico County Insurance Authority has grown at an unsustainable rate—rising from \$10.9 million in 2020 to over \$32.6 million in 2022, with 2023 costs still developing but trending the same direction—even though the claim volume hasn't increased. Commercial insurers have largely exited the market in response.

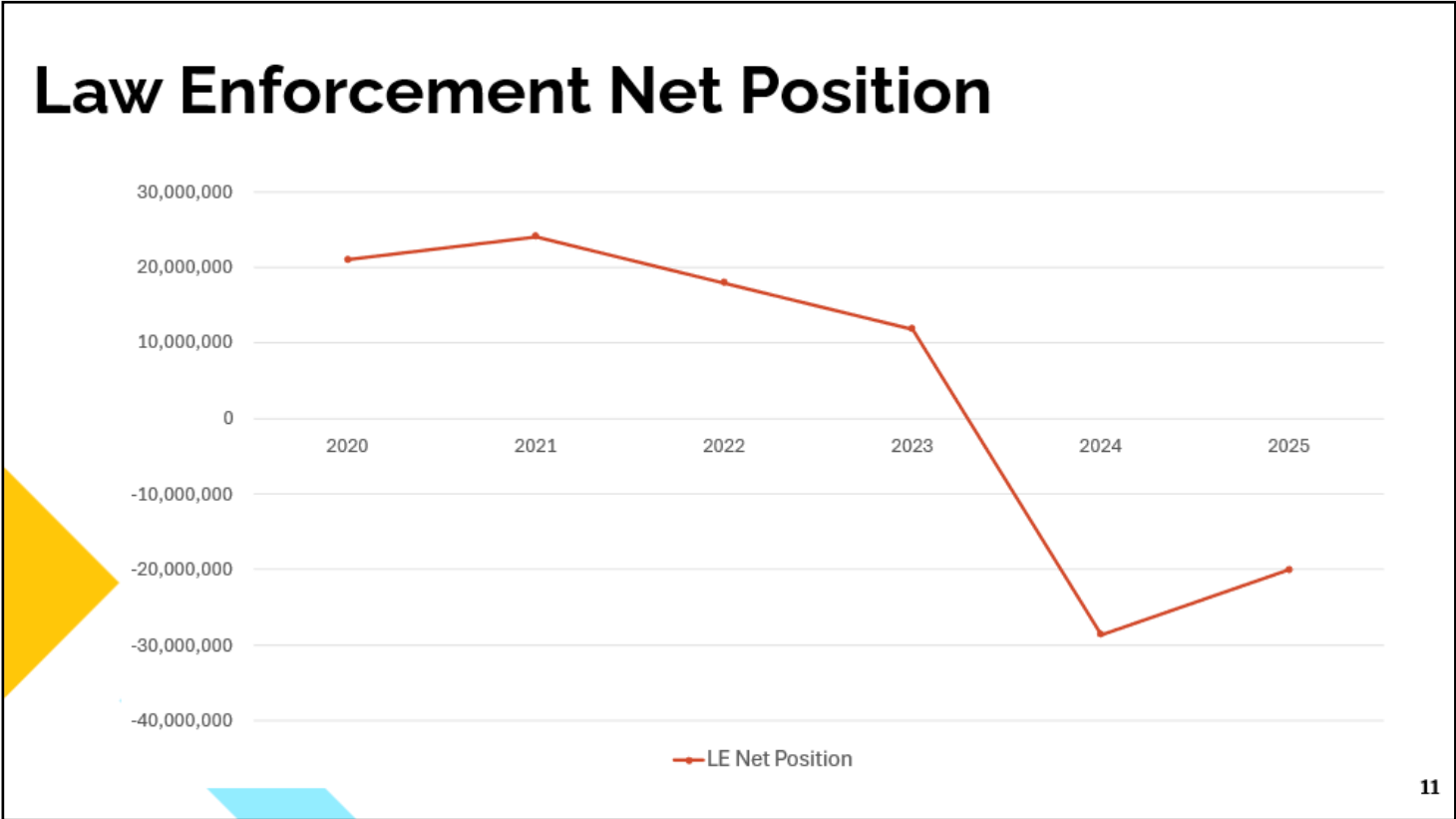
Counties are seeking three narrow amendments to address the threats to governmental solvency: (1) eliminate the automatic annual escalator on liability cap; (2) clarify that stacking of damages under both the NMCRA and the Tort Claims Act is not allowed; and (3) align the notice requirement to make it consistent with well-established NMTCA law to give government a fair opportunity to investigate, mitigate, respond, and where appropriate resolve claims before litigation costs escalate.

Government accountability is essential and so is solvency and the ability to provide the essential services our communities deserve. Counties look forward to working with legislators this session to strike that balance.



There has been a dramatic rise in state civil rights claims, compared to federal civil rights claims, since the passage of the Act in 2021.

The sharply escalating cost of Law Enforcement liability claims has forced the county insurance pool to substantially increase county contributions, which rose by 106% (\$17.5M) from 2020 to 2026. These fixed recurring costs are expected to continue increasing at an annual rate of at least 25% unless legislature undertakes meaningful reform of the NMCRA.



The resulting claims cost trajectory is unsustainable. Despite the significant county pool contribution increases, the Pool’s LE program’s net position has dropped by over \$40 million.

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