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FISCAL IMPACT REPORT

ORIGINAL DATE 1/29/08

SPONSOR Foley LAST UPDATED _____ HB 480

SHORT TITLE National Guard Border Protection SB _____

ANALYST Peery-Galon

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY08	FY09		
	\$30,000.0	Non-Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Homeland Security and Emergency Management Department (HSEMD)
 New Mexico Corrections Department (NMCD)
 Department of Public Safety (DPS)

No Responses Received From

Department of Military Affairs
 Association of Counties

SUMMARY

Synopsis of Bill

House Bill 480 appropriates \$30,000.0 from the general fund to the Department of Military Affairs for the purpose of supporting National Guard patrol and protection of New Mexico's southern borders.

FISCAL IMPLICATIONS

The appropriation of \$30,000.0 contained in this bill is a non-recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2009 shall revert to the general fund.

HSEMD states the proposed legislation have no foreseen fiscal impact on the department.

NMCD states assuming that the flow of illegal drugs into New Mexico would dissipate as a result of the proposed legislation, it could lead to a reduction of drug-related crimes. This reduction in drug-related crimes and convictions could lead to minimal decrease in the department's prison population and probation/parole caseloads.

Based on FY06 actual expenditures, the average annual cost to incarcerate an individual in a NMCD correctional facility is \$31,239, and the average annual cost of probation and parole/community corrections client is \$1,343.

DPS states the proposed legislation could have a minor fiscal impact on the department. With National Guard members patrolling the border, at some point they will find criminal activity in which they don't have the authority to enforce. The National Guard members will most likely have to turn the investigation over to the Department of Public Safety. DPS states how large of a fiscal impact will depend on the number of additional cases that are generated.

SIGNIFICANT ISSUES

NMCD notes any decrease in the availability of illegal drugs may lead to less crime, and thus to fewer convictions.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

House Bill 480 has a relationship to Senate Memorial 7.

OTHER SUBSTANTIVE ISSUES

In the 2007 legislative session, the Emergency Management and Homeland Security Support Program of the Department of Public Safety was appropriated \$1 million in recurring general fund revenue for border security. The new Homeland Security and Emergency Management Department now oversees this funding. The funding is for use by counties and select municipalities in the border region to help hire and equip law enforcement officers. The county sheriffs and police departments may purchase vehicles and hire officers using this money. The purchase of vehicles includes everything from the vehicle itself to radios, lights, etc. The personnel money can pay for salaries (including the cost of benefits), uniforms and basic equipment (other than firearms). The funding is to help the communities in providing enhanced public safety to alleviate the increased lawlessness in the border region resulting from unsecured borders.

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