

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current and previously issued FIRs are available on the NM Legislative Website (www.nmlegis.gov) and may also be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

SPONSOR SPAC **ORIGINAL DATE** 2/07/2017
LAST UPDATED 2/20/2017 **HB** _____
SHORT TITLE Concealed Carry For Law Enforcement **SB** CS/237 & 283/SPACS
ANALYST Rogers

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY17	FY18	FY19	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI	NFI	NFI	NFI	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to HB 62, HB 78, SB 56, and SJR 5.

SOURCES OF INFORMATION

LFC Files

Responses Received From

Office of the Attorney General (OAG)

SUMMARY

Synopsis of SPAC Substitute

The Senate Public Affairs Committee (SPAC) substitute for SB 237 and SB 283 adds the definition of “reserve law enforcement officer” to the definitions in 29-19-2 NMSA 1978. The Substitute then incorporates changes to 29-19-14 NMSA 1978 to the application requirements for current certified law enforcement officers, retired certified law enforcement officers, current members of the New Mexico mounted patrol, and adds current reserve law enforcement officers.

FISCAL IMPLICATIONS

The bill does not include an appropriation.

DPS reports it processes approximately 12,150 applications per year with a revenue averaging \$460 thousand. It is possible that the reduced activity resulting from this bill’s exclusion of reserve law enforcement officers from paying fees would require a smaller staff in the Concealed Handgun Carry Unit, which currently has seven FTE. One employee is paid from the general fund while the remaining FTE are paid with revenue generated from licensing fees. If the licensing activity decreases, DPS’s expenses for annual maintenance and upgrades of the criminal history screening computer system would exceed the revenue received from licensing and would have to be absorbed by other funding sources, including the general fund. The amount budgeted annually for maintaining and upgrading the computer system is between \$250 and \$350 thousand.

SIGNIFICANT ISSUES

The OAG, in response to the SPAC substitute, explains that it is not entirely clear what constitutes “good standing” from the more than 200 law enforcement agencies in the state. This could be determined from an official report from the law enforcement academy or other identified, subjective standards or requirements.

The OAG analysis states the bill makes more clear the requirements for current and retired law enforcement officer and members of the New Mexico mounted patrol by excepting them from Section 29-14-5 NMSA 1978 and clarifying them in Section 29-19-14 NMSA 1978.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relates to HB 62, HB 78, SB 56, and SJR 5.

TR/sb/al