

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](http://www.nmlegis.gov)) and may also be obtained from the LFC in Suite 101 of the State Capitol Building North.

## FISCAL IMPACT REPORT

SPONSOR Small ORIGINAL DATE 1/27/19  
 LAST UPDATED \_\_\_\_\_ HB 208

SHORT TITLE Hazardous Officer Statement Upon Court Order SB \_\_\_\_\_

ANALYST Jorgensen

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>		NFI				

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

New Mexico Attorney General (NMAG)

### SUMMARY

#### Synopsis of Bill

House Bill 208 (HB208) amends the Hazardous Duty Officers’ Employer-Employee Relations Act (Act) so that a compelled statement of an officer will not be released except upon court order. Under the Act, “officer” means “an individual who is employed full-time by the state or a political subdivision of the state as a firefighter, emergency medical technician or paramedic.” And a “compelled statement” is a statement provided by an officer to the officer’s employer under threat of dismissal from employment or any other employment sanction.

HB208 would require the officer to be advised at the beginning of their interview of “...all legal rights that the officer has with respect to the investigative interview.” Additionally, it would substitute the term “investigative interview” where “interrogation” is currently used.

### FISCAL IMPLICATIONS

There is no fiscal impact associated with this legislation.

**SIGNIFICANT ISSUES**

In analysis for a similar bill introduced in the 2014 legislative session, the AOC noted “there is no guidance in [HB208] as to when a court may, or be required to, order the release of a hazardous duty officer’s compelled statement.”

CJ/gb