

LFC Requester:	Scott Sanchez
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**AGENCY BILL ANALYSIS
2024 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

Analysis.nmlegis.gov

{Analysis must be uploaded as a PDF}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original **Amendment**
Correction **Substitute**

Date 23 JAN 24

Bill No: HB 168

Sponsor: Jenifer Jones, Stefani Lord,
Andrea Reeb
Short Title: No Firearms for Undocumented
Persons

Agency Name and Code 790-Department of Public Safety
Number: _____
Person Writing Dale Wagoner
Phone: 505-629-2803 **Email** dale.wagoner@dps.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
NFI	NFI	N/A	N/A
NFI	NFI	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
NFI	NFI	NFI	N/A	N/A
NFI	NFI	NFI	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI	NFI	NFI	NFI	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

This bill proposes to add undocumented persons to the list of certain persons prohibited under state law from receiving, transporting, or possessing a firearm or destructive device. As defined in the bill, an undocumented person is an individual not legally present in the United States.

FISCAL IMPLICATIONS

There are no additional fiscal implications to DPS.

SIGNIFICANT ISSUES

Federal law defines an individual's legal status regarding immigration matters and only federal courts may make findings that an individual is not legally present in the United States. Crucially, this bill would require the investigating law enforcement agency to determine whether an individual is documented or undocumented and, therefore, legally or not legally present in the United States.

PERFORMANCE IMPLICATIONS

No performance implications to DPS.

ADMINISTRATIVE IMPLICATIONS

DPS as a state law enforcement agency is unable and does not determine the legal status of individuals who may be undocumented and/or not legally residing in the United States.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

No conflict, duplication, companionship, or relationship issues to DPS

TECHNICAL ISSUES

No other technical issues to DPS.

OTHER SUBSTANTIVE ISSUES

No other substantive issues to DPS.

ALTERNATIVES

Not applicable as no impact to DPS.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

None at this time.