

LFC Requester: \_\_\_\_\_

**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** 1/30/2024

**Bill No:** HB 193

**Sponsor:** A. De La Cruz; M. Dixon;  
A. Martinez  
**Short Title:** LAW ENFORCEMENT  
RETENTION DISBURSEMENTS

**Agency Name and Code Number:** Department of Finance and  
Administration-341

**Person Writing** Julie Fernandez  
**Phone:** 629-2845    **Email** Julie.krupcale@dfa.n

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
	1,000	nonrecurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		

(Parenthesis ( ) Indicate Expenditure Decreases)

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

	<b>FY24</b>	<b>FY25</b>	<b>FY26</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>						

(Parenthesis ( ) Indicate Expenditure Decreases)

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

**SECTION III: NARRATIVE**

The House Judiciary Committee amendment to HB193 adds clarification that a full-time certified law enforcement officer must remain employed at **that same** law enforcement agency for an additional year, for the officer to receive a retention differential disbursement of five percent of the officer’s annual base salary.

**ORIGINAL BILL SUMMARY**

House Bill 193 (HB193) is providing clarification to the Law Enforcement Retention Fund (LERF) which is housed at and administered by the Department of Public Safety (DPS) (9-19-14 NMSA 1978). The bill clarifies that a full-time law enforcement officer may be eligible to a retention differential disbursement in the amount of five percent of the officer’s annual salary, if the officer remains employed as a full-time officer at the same law enforcement agency.

HB193 stipulates that to receive the funding a law enforcement agency must be compliant with the Law Enforcement Training Act and must submit the agency’s most current roster of full-time certified law enforcement officers to the law enforcement academy no later than April 1 of each year.

**FISCAL IMPLICATIONS**

HB193 appropriates one million dollars to the Law Enforcement Protection Fund (LEPF) for expenditure in fiscal year 2025 and subsequent fiscal years for the annual cost difference to implement the retention differential disbursements. Any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert to the general fund.

**SIGNIFICANT ISSUES**

The LEPF is administered by the Department of Finance and Administration while the LERF is administered by the DPS. While any fund balance over \$100,000 shall be transferred from the LEPF to the LERF at the end of a fiscal year, this appropriation will be more effectively be used if it were appropriated to the LERF fund at DPS.

**PERFORMANCE IMPLICATIONS**

**ADMINISTRATIVE IMPLICATIONS**

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

**TECHNICAL ISSUES**

**OTHER SUBSTANTIVE ISSUES**

**ALTERNATIVES**

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

**AMENDMENTS**