

LFC Requester:	SIMON JOSEPH
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AGENCY BILL ANALYSIS

2024 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

AgencyAnalysis.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 1/19/2024

Bill No: SB 82

Sponsor: Jeff Steinborn Agency Name and Code: General Services Department - 350
 Short Title: Insurance for Search and Rescue Volunteers Number: _____
 Person Writing: Jose G. Puentes
 Phone: 505-470-9008 Email: Jose.Puentes@gsd.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		

(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)

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(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

Synopsis: SB 82 would require the Risk Management Division of the General Services Department to carry an additional insurance policy specifically for volunteer search and rescue personnel. According to the Bill, the additional insurance would offer search and rescue personnel \$150,000.00 compensation for death or dismemberment and \$50,000.00 for medical expenses should that injury or death occur during an authorized search and rescue.

FISCAL IMPLICATIONS

This would require additional funding from the legislature. Furthermore, this coverage is redundant since the volunteers are already covered by NMSA §15-7-1 as explained in further detail below. SB 82 fails to specifically identify where the funding for the additional coverage would come from.

SIGNIFICANT ISSUES

SB 82 is requesting coverage which already exists for a volunteer. According to NMSA § 15-7-1(D) "employee" means any officer, employee or servant of a governmental entity, including elected or appointed officials, law enforcement officers and persons acting on behalf or in service of a governmental entity in any official capacity, whether with or without compensation, but the term does not include an independent contractor. According to Section 41-4-19 of the New Mexico Torts Act ("NMCTA") "Damages for all claims arising out of a single incident are capped as follows: \$400,000.00 for the tort; \$300,000.00 for medicals past/future; \$200,000.00 for property claim; \$50,000.00 for loss of consortium". Therefore, search and rescue volunteers are already afforded the opportunity to make claims for higher limits than the SB 82 offers.

PERFORMANCE IMPLICATIONS

This bill does not include an appropriation.

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS