

LFC Requester:

LFC Analyst Scott Sanchez

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO****[AgencyAnalysis.nmlegis.gov](https://www.legis.nm.gov/AgencyAnalysis) and email to billanalysis@dfa.nm.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}***Date Prepared:** 16MAR25*Check all that apply:***Bill Number:** SB250(CS)Original ☐ Correction ☐Amendment ☐ Substitute ☒Sen. Antonio Maestas, Sen.
Cindy Nava, Sen. Linda M.
Lopez, Rep. Angelica Rubio,**Agency Name
and Code****Number:**790 – Department of Public Safety**Sponsor:** Rep. Yanira Gurrola**Short** State Enforcement of**Person Writing:** Matthew Broom, Deputy Chief**Title:** Immigration Law**Phone:** 5757601485**Email:** Matthew.broom@dps.nm.gov**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
NFI	NFI	N/A	N/A

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
NFI	NFI	NFI	N/A	N/A

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI	NFI	NFI	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: Conflicts to SB87 (2025)

Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Senate Judiciary Committee substitute for SB250 adds a provision that the bill's prohibition on government cooperation with federal immigration officials does not affect existing contracts between counties and the federal government for the housing of federal detainees. This added provision seems to be in direct conflict with HB9, which has passed the House and is currently in the Senate, and which prohibits public bodies from entering into agreements used to detain individuals for federal civil immigration violations and requires any existing such agreements to be terminated.

In its substituted form, SB250 would stop state, county and local governments from coordinating or cooperating with federal immigration officials' efforts to identify, apprehend and deport undocumented immigrants. Excludes jail administrators and sheriffs in cases in which they're obligated under federal law to release an individual being detained related to a criminal proceeding.

Does not affect existing contracts between counties and the federal government for the housing of federal detainees or the extension of such contracts.

Repeals Sec. 29-1-10, which authorizes local and state law enforcement agencies to participate in with the Federal Law Enforcement Assistance Act of 1965. According to the title of the bill, this is an obsolete reference.

FISCAL IMPLICATIONS

No Fiscal Implications to DPS.

SIGNIFICANT ISSUES

DPS does have some concerns about the wording in Section 1(A) of the bill. The New Mexico State Police do not take part in immigration enforcement or deportation efforts; however, in the border regions of New Mexico we do cooperate with Border Patrol for certain types of border security operations. DPS does have concerns that the prohibition against "...detaining or prolonging the detention of a person based on a suspicion or knowledge that the person has entered...the United States in violation of federal immigration laws..." could interfere with security operations. There are often times our officers encounter individuals along the border who we have reasonable suspicion or even probable cause to believe they have just entered the country illegally and are possibly involved in other criminal activity. This situation also occurs where we need to take action to provide immediate medical aid. As part of this investigation, we may detain individuals and carry out a joint investigation to determine what is occurring. If it turns out the only crime these individuals conducted was a violation of federal immigration laws, then it is possible we could inadvertently violate this law. However, we cannot know that until after we have carried out the investigation, which puts State Police in a difficult position as we work to ensure public safety in these areas. This also could occur during instances where we make contact with these individuals to ensure humanitarian aid is received, which is extremely important during the summer months when many immigrants die of heat related injuries. In the process of ensuring people are safe, it is sometimes the case that they might be detained while everyone is checked out and possible neglect investigated. The Border Patrol would usually be involved at some point during these incidents. This bill could potentially create some difficulties for State Police in these cases.

PERFORMANCE IMPLICATIONS

Over the past year, the New Mexico State Police has worked in collaboration with the Organized Crime Commission and federal authorities to support human trafficking and migrant rescue operations. We remain steadfast in our commitment to combating transnational criminal organizations involved in drug trafficking, human trafficking, and arms trafficking. Our mission is to safeguard our communities by partnering with federal, state, and local agencies to prevent and dismantle these illegal activities. In addition to our efforts to rescue and support victims of human trafficking and smuggling, we are dedicated to creating a safe

environment for all. We prioritize disrupting illicit activities, particularly on public lands and in the Santa Teresa area of New Mexico, to ensure the security of both residents and visitors. Through these collective efforts, we strive to uphold justice, enhance public safety, and protect the rights and dignity of every individual. Please see “Significant Issues” for some concerns NMSP has identified.

ADMINISTRATIVE IMPLICATIONS

No Administrative Implications to DPS.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Conflicts with 2025 SB87.

TECHNICAL ISSUES

No Technical Issues to DPS.

OTHER SUBSTANTIVE ISSUES

No Substantive Issues to DPS.

ALTERNATIVES

No Alternatives at this time.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo will remain.

AMENDMENTS

No Amendments at this time.