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## FISCAL IMPACT REPORT

ORIGINAL DATE 1/29/2016

SPONSOR SPAC LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE Qualifications for Sheriff SB 203/SPACS

ANALYST Rogers

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

	FY16	FY17	FY18	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	NFI	NFI	NFI	NFI	Recurring	None

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Attorney General's Office (AGO)

#### Responses Not Received From

New Mexico Association of Counties

New Mexico Municipal League

### SUMMARY

#### Synopsis of Senate Public Affairs Committee (SPAC) Substitute for SB 203

The SPAC substitute for SB 203 removes the requirement included in the original bill that established a minimum age for sheriffs and disqualification on the grounds of having been convicted of a felony.

The substitute also sets the qualifications for persons seeking to be elected or appointed to the position of county sheriff, including five years professional law enforcement experience to include military law enforcement experience, must be a resident of the state for one year and of the county for which the person is seeking to be elected or appointed sheriff, must hold a certificate attesting to completion of a basic law enforcement training program pursuant to Section 29-7-6.1 NMSA 1978, and must not have been recalled from public office.

**FISCAL IMPLICATIONS**

None noted.

**SIGNIFICANT ISSUES**

Currently, state statute does not include any requirements for candidates for sheriff. Creating baseline qualifications will help ensure that candidates for the position have relevant training and experience to help them be effective in the position.

**TECHNICAL ISSUES**

In regards to the amendment, the AGO points out that SB 203 provided that a person seeking to be elected or appointed sheriff must be a resident of both the state and the county for which the person is seeking to be elected or appointed sheriff for at least one year.

In the committee substitute, “one year” modifies only “a resident of the state” and not “of the county”. Therefore, under the committee substitute, a person who is a resident of the state for one year but resident of the county for which the person is seeking to be elected or appointed sheriff for less than one year meets the residency qualification for the position of sheriff in that county.

TMR/jle/jo