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FISCAL IMPACT REPORT

SPONSOR Townsend/Armstrong LAST UPDATED _____
ORIGINAL DATE 2/21/23
BILL
SHORT TITLE County Sheriff Monuments NUMBER House Bill 382
ANALYST J. Torres

APPROPRIATION* (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY23	FY24		
	\$3,300.0	Nonrecurring	General Fund

Parentheses () indicate expenditure decreases.

*Amounts reflect most recent version of this legislation.

Sources of Information

LFC Files

Responses Received From

Department of Finance and Administration (DFA)

SUMMARY

Synopsis of House Bill 382

House Bill 382 makes an appropriation to the Local Government Division of the Department of Finance and Administration to match funding for the construction of monuments recognizing and honoring county sheriffs. The \$3.3 million from the general fund will be appropriated for the purpose of dispensing \$100 thousand to each of the 33 state counties, contingent upon receiving a matching amount from each county.

This bill does not contain an effective date and, as a result, would go into effect June 16, 2023, (90 days after the Legislature adjourns) if signed into law.

FISCAL IMPLICATIONS

DFA states:

This is a one-time appropriation for Fiscal Year 2024.

LGD would manage these appropriations in a process similar to management of other general fund capital outlay appropriations. However, the bill contains a contingent match of equal amounts of which LGD would be required to also manage.

SIGNIFICANT ISSUES

DFA states:

House Bill 382 (HB382) proposes to provide a one-time appropriation to each of the 33 counties in New Mexico in the amount of \$100 thousand for a total of \$3.3 million for monuments to each of the 33 county sheriffs. These appropriations would be managed by the Local Government Division (LGD) of Department of Finance and Administration (DFA). The fund would be contingent upon an equal match from the counties.

This bill addresses a need in communities throughout the state to honor sheriffs for their service, including former, retired, and deceased sheriffs. The establishment of a monument would provide a physical touchstone for such recognition. In addition, the monuments would serve to enhance the general value of law enforcement in the community.

The New Mexico Sheriffs' Association spoke in support of this bill and provided contacts of advocates for monuments for county sheriffs which informed this analysis.

The contingency of matching funds for recipients of the proposed HB382 is a significant issue which may affect the bill's implementation.

Counties may seek contributions from private foundations and other community funds to meet the match requirement. Some counties may be able to pull the match from their general funds. The process of raising funds may serve to raise awareness in the communities of the role of law enforcement. However, sourcing these additional funds will take time.

The match requirement may be an impediment or barrier to some counties attempting to utilize their appropriation. If some counties are not able to raise a match, and, thus, not able to utilize the funding, it could result in a hopscotch implementation throughout the state. This may send unintended messages to the communities.

PERFORMANCE IMPLICATIONS

DFA states:

Raising matching funds may prevent or delay implementation for some counties. This may result in an overall inconsistent implementation throughout the state.

ADMINISTRATIVE IMPLICATIONS

DFA states:

LGD does not currently manage match for any capital outlay appropriations. If this bill is passed as proposed, LGD would need to establish a process for tracking the requisite matching, drawing from experience managing matching for federal funds. However, neither current nor new databases used by LGD allow for tracking of matching. This may result in obstacles to reporting and implementation.

The matching funding could be a technical issue for LGD for tracking and reporting.

ALTERNATIVES

DFA states:

For these funds to be utilized consistently throughout the state, the contingent match requirement could be reconsidered. Another option is to reduce the match requirement in the bill. Lastly, if the match requirement is left unchanged, perhaps additional language in the bill could provide a means for the request and receipt of a waiver for a county which is not in the position to provide a match.

JT/al/ne