

LFC Requester:	JOSEPH SIMON
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AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO
AgencyAnalysis.nmlegis.gov 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: 4 FEB 2025 *Check all that apply:*
Bill Number: SB 251 Original Correction
 Amendment Substitute

Sponsor: Joshua A. Sanchez **Agency Name and Code** 790 – Department of Public Safety
Short Title: Certain Retirees Returning to Work **Number:** _____
Person Writing Dale R. Wagoner
Phone: 505-629-2803 **Email:** dale.wagoner@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	NFI	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: 2025 SB 165
 Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Senate Bill 251 (SB 251) proposes to amend Section 10-11-8 (retirement and return to work) to extend the definition of “peace officer” to include a state employee with a duty to maintain public order or to make arrests for crime, whether that duty extends to all crimes or is limited to specific crimes. Such a retired member would be able to return to work with an affiliated public employer in accordance with other existing provisions of the act.

FISCAL IMPLICATIONS

No additional fiscal implications to DPS have been identified as potential return-to-work members would be hired into vacant positions that DPS has projected in Personal Service and Employee Benefit (PSEB) cost needs for the respective funding source and allocated it in the respective expenditure projections. The higher retirement percentage would not have a fiscal impact because the agency will still be making PERA contributions at the same rate.

SIGNIFICANT ISSUES

No significant issues to DPS.

PERFORMANCE IMPLICATIONS

This bill could lead to a large number of retired police officers “returning to work,” which could assist with staffing challenges plaguing law enforcement in the state. This assumption is based on several factors, including the lower age at which many law enforcement officers retire and the significant number of officers who returned to work when an earlier version of this law was in place. Overall DPS believes this bill would be beneficial for law enforcement and overall state public safety.

Many police departments face challenges with recruitment and retention, and retired officers have the necessary training and experience to get back into the job quickly with little acclimation needed. By allowing retired officers to return, departments can maintain continuity, reduce training costs, and avoid delays in response times. Moreover, retired officers can bring a wealth of knowledge and expertise to the workplace. They can mentor newer recruits and help improve department morale and performance, which can be especially valuable in specialized units or high-crime areas where experienced officers can make a significant impact.

Allowing retirees to return while still being able to collect their pensions could also benefit the officers themselves, offering them the flexibility to re-enter the workforce without financial hardship. This option provides a solution for officers who may want to continue contributing to public safety, while also ensuring they do not experience a drastic reduction in income.

Ultimately, this broader definition of “peace officer” would provide retired officers the ability to come back to work and would create a win-win situation for both law enforcement agencies and retired officers. It would strengthen the workforce without compromising the financial security of the retired officers.

With respect to NMSP, the benefit of allowing retired and experienced officers to come back and fill vacancies will increase the strength of overall law enforcement in the state. DPS thinks this bill would be beneficial for public safety.

ADMINISTRATIVE IMPLICATIONS

No administrative implications to DPS.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

No conflict, duplication, companionship or relationship to DPS.

TECHNICAL ISSUES

No technical issues to DPS.

OTHER SUBSTANTIVE ISSUES

No other substantive issues to DPS.

ALTERNATIVES

Not applicable as no impact to DPS.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo will remain.

AMENDMENTS

None at this time.