

LFC Requester:

Felix Chavez

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: 02/17/2025

Check all that apply:

Bill Number: SB 385

Original Correction
Amendment Substitute

Sponsor: Sen. Pete Campos

Agency Name and Code Number: 305 – New Mexico Department of Justice

Person Writing

Short Title: ATTORNEY GENERAL SERVICES FOR AGENCIES

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(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						

(Parenthesis () Indicate Expenditure Decreases)

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

SECTION III: NARRATIVE

This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator’s request. The analysis does not represent any official policy or legal position of the NM Department of Justice.

BILL SUMMARY

Synopsis: Under NMSA 1978, 8-5-2.1, the attorney general may charge fees to state agencies for legal services. Senate Bill 385 (“SB385”) as proposed would amend language of NMSA 1978, 8-5-2.1 and create a more specific, consistent, and reliable way for setting the fees for the legal services by tying them to the fees already in use by the New Mexico Risk Management Division.

Section 1:

SB385 proposes to amend NMSA 1978, Section 8-5-2.1 by specifying how the NMDOJ may charge state agencies for its legal services. The rates proposed are tied directly to the relates for attorneys “in a current contract between the risk management division of the general services department and counsel providing legal services to the risk management division.” The amendment creates a fair and open approach to setting fees that ensures financial predictability for all agencies in need of legal services from the NMDOJ and Attorney General.

FISCAL IMPLICATIONS

N/A

SIGNIFICANT ISSUES

N/A

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo

AMENDMENTS

N/A