

LFC Requester:

Felix Chavez

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: 2/19/25

Check all that apply:

Bill Number: SB435Original Correction Amendment Substitute Sponsor: Sen Pinto

Agency Name

and Code HCA-630

Number: _____

Short Native American PR and IDPerson Writing Chris FosterTitle: systemPhone: _____ Email Christophert.foster@h**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
\$0.0	\$1,000.0	Nonrecurring	GF-NMDOJ

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
na	na	na	na	na

(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	na	na	na	na	na	na

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:

Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

This Bill appropriates \$1,000,000 to NM DOJ for an education campaign aimed at informing New Mexicans in general of their rights when confronted by federal immigration law enforcement agents. There is also a provision for providing identification for tribal members to use in confrontations with such agents and arrangements made for a telephonic verification system. Remaining funds are to revert to the General Fund.

FISCAL IMPLICATIONS

None for the HCA

SIGNIFICANT ISSUES

Tribal members have several forms of identification depending on their own situations and the arrangements that have been made by their tribal leadership. However, these documents are not always standardized, may lack photos, and may not be universally recognized by federal immigration enforcement agencies.

The bill does not specify how the proposed telephonic verification system would function, potentially resulting in implementation difficulties related to feasibility, accessibility, and effectiveness—particularly in cases where immigration officials refuse to engage with verification efforts. A statewide system would need to ensure rapid, reliable responses to inquiries while respecting tribal sovereignty and data privacy concerns.

All 23 federally recognized tribes in New Mexico would need to be consulted and engaged to assess the risks tribal members face, determine acceptable forms of verification, and establish appropriate protocols for any data collection, storage, and sharing.

PERFORMANCE IMPLICATIONS

None

ADMINISTRATIVE IMPLICATIONS

No IT impact.

Potential coordination may be needed between HCA and NM DOJ if individuals use the new tribal identification system for verification of eligibility for Medicaid, SNAP, or other safety-net benefits. Federal regulations specify which forms of identification are admissible in determining program eligibility.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Various tribes currently have various documents used for various purposes including INAC, CDIB, I-872 cards, IHS cards, other tribal documents and state driver licenses-both regular and Real ID.

TECHNICAL ISSUES

It is unclear which agency or entity would be responsible for managing and maintaining the telephone verification system.

OTHER SUBSTANTIVE ISSUES

Inconsistent recognition of tribal identification has led to cases of harassment of Native Americans.

ALTERNATIVES

None

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo

AMENDMENTS