

1 SENATE BILL 257

2 **57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

3 INTRODUCED BY

4 Anthony L. Thornton and Pat Boone and James G. Townsend
5 and Candy Spence Ezzell and Nicholas A. Paul
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10 AN ACT

11 RELATING TO BORDER SECURITY; CREATING THE OFFICE OF BORDER
12 SECURITY; PROVIDING POWERS AND DUTIES; ALLOWING FOR THE
13 EXERCISE OF EMINENT DOMAIN; CREATING THE BORDER SECURITY FUND;
14 MAKING APPROPRIATIONS; DECLARING AN EMERGENCY.
15

16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be
18 cited as the "Border Security Act".

19 SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the
20 Border Security Act:

21 A. "border fence" means a physical barrier and
22 related infrastructure closing the open border between New
23 Mexico and the country of Mexico;

24 B. "director" means the director of the office of
25 border security;

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- 1 C. "fund" means the border security fund;
- 2 D. "office" means the office of border security;
- 3 and
- 4 E. "security" means border security operations.

5 SECTION 3. [NEW MATERIAL] OFFICE OF BORDER SECURITY
6 CREATED--DIRECTOR--STAFF--POWERS AND DUTIES.--

7 A. The "office of border security" is created as an
8 adjunct agency pursuant to the Executive Reorganization Act.

9 B. The governor shall appoint a director with the
10 advice and consent of the senate.

11 C. Subject to appropriations, the director may
12 appoint a deputy director.

13 D. Subject to appropriations, the director may
14 employ professional and clerical staff as provided in the
15 Personnel Act.

16 E. The office may:
17 (1) exercise the power of eminent domain as
18 provided by law for the condemnation of private property for
19 public use with just compensation; and

20 (2) enter into joint powers agreements with
21 the federal government.

22 F. The office shall coordinate collaborative
23 efforts between the federal government and local governments
24 for the construction, security and maintenance of a border
25 fence.

1 SECTION 4. ~~[NEW MATERIAL]~~ BORDER SECURITY FUND CREATED.--

2 A. The "border security fund" is created as a
3 nonreverting fund in the state treasury. The fund consists of
4 appropriations, gifts, grants and donations to the fund. Money
5 in the fund is subject to appropriation by the legislature to
6 carry out the provisions of the Border Security Act.

7 B. Money in the fund shall be disbursed on warrants
8 signed by the secretary of finance and administration pursuant
9 to vouchers signed by the director or the director's authorized
10 representative.

11 SECTION 5. APPROPRIATIONS.--

12 A. Four million dollars (\$4,000,000) is
13 appropriated from the general fund to the office of border
14 security for expenditure in fiscal years 2026 through 2029 to
15 coordinate collaborative efforts between the federal government
16 and local governments for the construction of a fence at the
17 border of New Mexico and the country of Mexico. Any unexpended
18 or unencumbered balance remaining at the end of fiscal year
19 2029 shall revert to the general fund.

20 B. Two million dollars (\$2,000,000) is appropriated
21 from the general fund to the office of border security for
22 expenditure in fiscal years 2026 through 2029 for operational
23 expenses, including establishing the office of border security,
24 personnel, office space, furniture, equipment and supplies.

25 Any unexpended or unencumbered balance remaining at the end of

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1 fiscal year 2029 shall revert to the general fund.

2 SECTION 6. EMERGENCY.--It is necessary for the public
3 peace, health and safety that this act take effect immediately.

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