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FISCAL IMPACT REPORT

LAST UPDATED _____

SPONSOR Block/Lord **ORIGINAL DATE** 2/13/25

BILL

SHORT TITLE Interference with Federal Immigration Law **NUMBER** House Bill 316

ANALYST Sanchez

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT* (dollars in thousands)

Agency/Program	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Local Governments	No fiscal impact	Indeterminate but minimal	Indeterminate but minimal	Indeterminate but minimal	Recurring	Local Government General Funds

Parentheses () indicate expenditure decreases.
 *Amounts reflect most recent analysis of this legislation.

Sources of Information

LFC Files

Agency Analysis Received From
 Department of Public Safety (DPS)
 Administrative Office of the Courts (AOC)
 Corrections Department (NMCD)

Agency Analysis was Solicited but Not Received From
 Municipal League (ML)
 Councils of Governments (COGs)
 Office of the Attorney General (NMAG)

SUMMARY

Synopsis of House Bill 316

House Bill 316 (HB316) prohibits the state of New Mexico or any of its political subdivisions from adopting or maintaining any law, ordinance, rule, or regulation that restricts or prohibits the use of personnel or resources to assist in the enforcement of federal immigration law. The bill also bars any action that would interfere with the enforcement of federal immigration laws.

This bill does not contain an effective date and, as a result, would go into effect 90 days after the Legislature adjourns if enacted, or June 20, 2025.

FISCAL IMPLICATIONS

HB316 may have financial and administrative implications for state and local government entities. While the Department of Public Safety (DPS) and the Corrections Department (NMCD)

report no anticipated fiscal impact, the judiciary raises concerns about potential costs related to court participation and case management. If the bill leads to a decline in court attendance due to concerns about immigration enforcement, the judiciary may experience an increase in case dismissals, requiring additional resources to address delays and ensure due process. Additionally, the bill's broad language may create legal uncertainties, potentially resulting in litigation costs as state and local entities determine compliance requirements.

The prohibition against policies that “interfere” with federal immigration enforcement may also impact the judiciary’s ability to manage court facilities and personnel, potentially necessitating administrative adjustments that could carry financial implications. Local governments may incur costs if required to allocate personnel or resources to assist federal immigration authorities without corresponding federal reimbursement, however without analysis from local or county governments, the estimated costs of these are at best, indeterminate, and without further feedback, are assumed to be minimal.

SIGNIFICANT ISSUES

HB316 prohibits state and local governments from adopting or enforcing laws, ordinances, rules, or regulations that restrict or interfere with the enforcement of federal immigration law. The bill’s language may have implications for judicial operations, law enforcement practices, and local governance.

The Administrative Office of the Courts (AOC) notes that the bill could affect court participation, as concerns about immigration enforcement at courthouses have historically been associated with reduced attendance by victims, witnesses, and litigants. A decline in participation may impact the adjudication of cases, including protective orders in domestic violence cases and other legal proceedings requiring witness testimony. Additionally, the judiciary raises concerns about its ability to manage court facilities and personnel, as the bill’s restrictions could limit discretion in setting policies that affect courthouse operations.

AOC mentions that the bill’s broad language may also introduce legal uncertainties, particularly regarding what constitutes “interference with federal immigration enforcement.” This could lead to varying interpretations among state and local entities, potentially resulting in legal challenges. Additionally, local governments that have previously enacted policies regarding interactions with federal immigration authorities may need to review and modify those policies to ensure compliance with the proposed law.

PERFORMANCE IMPLICATIONS

HB316 may impact the effectiveness of judicial and law enforcement operations by influencing public engagement with legal and governmental processes. If individuals perceive a heightened risk of immigration enforcement at courthouses, they may be less likely to participate in judicial proceedings, which could affect case resolution timelines and the enforcement of court orders. This could be particularly relevant in cases involving protective orders, victim testimony, and other proceedings that rely on voluntary court participation.

ADMINISTRATIVE IMPLICATIONS

HB316 may require state and local agencies to assess and, if necessary, modify internal policies, procedures, and training related to interactions with federal immigration authorities. Judicial and law enforcement agencies may need to review existing directives to ensure compliance with the bill's provisions, which could involve updating operational guidelines, revising employee protocols, and providing additional staff training.

AOC notes the bill may affect administrative decision-making related to courthouse policies and facility management. If restrictions on policies that could be interpreted as “interfering” with federal immigration enforcement extend to judicial administration, courts may need to evaluate how they regulate access to court spaces and interactions between law enforcement and individuals appearing before the court.

SS/r/SR