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FISCAL IMPACT REPORT

LAST UPDATED _____

SPONSOR López **ORIGINAL DATE** 3/11/2025

BILL

SHORT TITLE Behavioral Health Review Committee **NUMBER** Senate Bill 405

ANALYST Hernandez

APPROPRIATION* (dollars in thousands)

FY25	FY26	Recurring or Nonrecurring	Fund Affected
	\$300.0	Nonrecurring	General Fund

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

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT* (dollars in thousands)

Agency/Program	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
LCS	No fiscal impact	At least \$75.25	At least \$75.25	\$150.2	Nonrecurring	General Fund

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

Sources of Information

LFC Files

Agency Analysis Received From
 Department of Health (DOH)
 Health Care Authority (HCA)
 Administrative Office of the Courts (AOC)
 Administrative Office of the District Attorneys

SUMMARY

Synopsis of Senate Bill 405

Senate Bill 405 (SB405) appropriates \$300 thousand in FY26 and FY27 from the general fund to Legislative Council Services for the purpose of establishing the bipartisan blue ribbon behavioral health statutory review committee, composed of subject matter experts, to propose policies and practices related to behavioral health law reform in New Mexico. Moreover, the committee is tasked with proposing statewide policies and practices for treatment court programs.

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

The appropriation of \$300 thousand contained in this bill is a nonrecurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY26 shall revert to the general fund.

LFC and the Administrative Office of the Courts both note that the appropriation may not be sufficient to provide per diem and mileage for the committee members at the meeting frequency described in the proposal, in conjunction with hiring staff and subject matter experts. Assuming that there is a minimum of 56 individuals on the criminal justice policy collaborative task force, per SB405, and they were to meet in-person twice a month, the total cost of just per diem is \$127.7 thousand—this does not include mileage. Moreover, assuming that the committee also meets a minimum of twice a month in person and has at least 10 members, their per diem cost is \$22.8 thousand annually. That leaves \$149.5 thousand for both mileage and staff salaries, which may not be sufficient.

SIGNIFICANT ISSUES

The Department of Health (DOH) notes that behavioral health issues are widespread in New Mexico and impact all populations. Despite this, significant disparities exist in access and treatment.

According to the Administrative Office of the Courts (AOC):

Much of what is proposed in SB405 regarding treatment courts is already established and in practice throughout New Mexico. The Therapeutic Justice Support Program (TJSP) exists within the AOC for the sole purpose of reviewing national standards, implementing best practices related to treatment courts and providing technical assistance and support to the treatment court programs throughout the state.

TECHNICAL ISSUES

AOC notes that in Section 1, B the “[the bill lacks a] definition of “marginalized population;” interpretation of this term could be varied and thus create conflict within the committee regarding priorities and goals.”

AEH/hj/SL2