

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current FIRs (in HTML & Adobe PDF formats) are available on the NM Legislative Website (legis.state.nm.us). Adobe PDF versions include all attachments, whereas HTML versions may not. Previously issued FIRs and attachments may also be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

SPONSOR Romero DATE TYPED 2/5/2004 HB _____

SHORT TITLE Regulation and Licensing Law Officers SB 276

ANALYST Aguilar

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY04	FY05	FY04	FY05		
			Indeterminate		

(Parenthesis () Indicate Expenditure Decreases)

Relates to HB10

SOURCES OF INFORMATION

LFC Files

Responses Received From

Regulation and Licensing Department (RLD)
Attorney General

SUMMARY

Synopsis of Bill

Senate Bill 276 provides the RLD superintendent with authority to employ and designate law enforcement personnel as appropriate, subject to proper certification pursuant to the law enforcement training act.

Significant Issues

RLD reports this bill will allow law enforcement personnel who are employed by RLD, in an investigative capacity, to maintain their law enforcement credentials while they are employed by RLD, as long as they keep their law enforcement training current. Without this commission authority, certified employees stand to lose their certification simply because there is not mechanism in place to allow such personnel to be commissioned by the agency that employs them.

The department also notes that law enforcement personnel employed by RLD will have the authority to cite individuals who violate statutes, rules and regulations that fall under the scope of

RLD; however, such individuals will not have arrest authority. The authority granted by the Superintendent's commission will include filing criminal complaints in magistrate courts, conducting criminal background checks and investigations and obtaining warrants, when necessary, as they pertain to the implementation, enforcement and application of statutes, rules and regulations under the governance of RLD.

FISCAL IMPLICATIONS

Senate Bill 276 allows for the employment of law enforcement officers. However, no provision is made in the agency budget for the initial cost of sending new employees to the law enforcement academy if necessary or for ongoing training expenses.

TECHNICAL ISSUES

Consideration should be given to including language that limits the arrest capacity of these law enforcement personnel if that is the intent of the legislation as noted by RLD.

PA/yr