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FISCAL IMPACT REPORT

ORIGINAL DATE 02/11/13
 SPONSOR HJC LAST UPDATED 03/08/13 HB 221/HJCS
 SHORT TITLE Reserve Law Enforcement Officers SB _____
 ANALYST Chenier

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY13	FY14	FY15	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		Unknown*	Unknown	Unknown	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

*See last paragraph of Fiscal Implications.

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)
 Administrative Office of the District Attorneys (AODA)
 Attorney General’s Office (AGO)
 Public Defender Department (PDD)
 New Mexico Corrections Department (NMCD)
 Department of Public Safety (DPS)

SUMMARY

Synopsis of Bill

House Judiciary Committee Substitute for House Bill 221 enacts the “Reserve Officer Act,” (“ROA”) providing for certification of reserve officers to assist law enforcement agencies on a temporary, part-time or volunteer basis. The act defines “reserve officer”; sets out qualifications for certification; develops the scope of authority for reserve officers; creates a framework to set training requirements; allows a waiver of training requirements for applicants with prior training; requires in-service reserve officer training; permits the law-enforcement board to issue, suspend or, revoke certification; and, amends various existing statutes to carry out the purpose of the ROA.

FISCAL IMPLICATIONS

The DPS stated that there is an immediate impact on the Department of Public Safety Training and Recruiting Division (DPS/TRD). The resources and staff to develop the operational components related to this bill include the creation of new NMAC reserve officer rules in the areas of reserve officer standards for basic certification, standards for maintenance of reserve certification, development of reserve curriculum for basic certification, and the development of reserve curriculum for a biennial in-service training program. The bill also allows for a waiver of requirements based on previous training and for a tailoring of the certification program through the recognition of prior training requiring one additional FTE. Once reserve officers are certified, long term resource commitment for oversight of the certified reserve officers will be required. In addition, each training program requires the use of DPS Academy classrooms and housing, increasing costs associated with supplies, linens and housekeeping, utilities, the provision of meals and maintenance costs.

SIGNIFICANT ISSUES

The DPS stated that once established, the long term maintenance of the program would be manageable, but would require the creation of at least one FTE position. While it is clear that law enforcement agencies would benefit from such a program there might be a long term concern that if successful, such a program may result in an agency reducing the cost of employing full time salaried officers by the expansion and use of a reserve officer program.

Many state and local law enforcement agencies across the country use reserve officers in conjunction with certified law enforcement officers. Representative national organizations include the Reserve Police Officers Association and the National Reserve Law Officers' Association.

EC/svb:blm