

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 and previously issued FIRs are available on the NM Legislative Website (www.nmlegis.gov) and may also be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

SPONSOR	<u>Hochman-Vigil</u>	ORIGINAL DATE		
		LAST UPDATED		HB <u>336</u>
SHORT TITLE	<u>Bernalillo County Criminal Justice Coordinating Councils</u>			SB _____
		ANALYST	<u>Dick-Peddie</u>	

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY20	FY21		
0.0	\$335.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)

No Response Received

New Mexico Association of Counties

Department of Finance and Administration (DFA)

Public Defender Department (PDD)

Administrative Office of District Attorneys (AODA)

SUMMARY

Synopsis of Bill

House Bill 336 appropriates \$335 thousand from the general fund to the Local Government Division within the Department of Finance and Administration (DFA) for the purpose of hiring an executive director and associated staff for the Bernalillo County Criminal Justice Coordinating Council.

There is no effective date of this bill. It is assumed the effective date is 90 days following adjournment of the Legislature.

FISCAL IMPLICATIONS

House Bill 267, passed in the 2019 legislative session and enacted in July 2019, required all judicial districts in New Mexico to create criminal justice coordinating councils (CCJCs). The councils are designed to be facilitated by the district courts and include public defenders, county

officials, judges, district attorneys, law enforcement officers, and other relevant parties, to coordinate local criminal justice efforts and policies. Many councils, such as the ones in Doña Ana, Bernalillo, Otero, and Lincoln counties, were established long before the passage of HB267, but other councils are completely new.

The Bernalillo County Criminal Justice Coordinating Council (BCCJCC) is one of the most developed CCJCs in the state. The council has regular attendance from relevant parties or their designees and has county employees staff the meetings. The appropriation is intended to fund an executive director, technical assistant, and administrative support assistant for the BCCJC, all recurring personnel costs. If the appropriation is intended solely for these three positions, the annual salary for each position would be more than \$100 thousand.

SIGNIFICANT ISSUES

As the most mature CCJC in the state, BCCJC could serve as a model for other CCJCs in the state. However, some councils are still in their infancy, and state funds must be better appropriated to AOC to identify which councils have the greatest need for additional assistance.

Currently, Bernalillo County staffs and facilitates BCCJC meetings, and it is unclear to what degree this general fund appropriation would supplant the county contribution to BCCJC. Though coordinating councils are now required by state law, counties and local governments greatly benefit from coordination efforts and have an incentive to match state funding levels.

Additionally, allocating state funds for personnel housed within a county could set a precedent for every coordinating council. If the state funds personnel for every CCJC in the state at similar levels, the recurring annual cost to the general fund would be approximately \$4.3 million.

The Local Government Division of DFA program purpose is “community development, local government assistance and fiscal oversight program to help counties, municipalities, and special districts maintain strong communities through sound fiscal advice and oversight, technical assistance, monitoring of project and program progress and timely processing of payments, grant agreements and contracts.” It is unclear if funding personnel for county programs falls within this purpose. DFA did not submit agency analysis for HB336.

ADP/rl