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FISCAL IMPACT REPORT

SPONSOR Montoya/Lane/Nibert LAST UPDATED _____
ORIGINAL DATE 2/27/2023
BILL
SHORT TITLE District Attorney Salaries NUMBER House Bill 469
ANALYST Gray

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT* (dollars in thousands)

	FY23	FY24	FY25	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
	No fiscal impact	No fiscal impact	No fiscal impact	No Fiscal Impact		

Parentheses () indicate expenditure decreases.

*Amounts reflect most recent analysis of this legislation.

Sources of Information

LFC Files

Responses Received From

Administrative Office of the District Attorneys (AODA)

New Mexico Attorney General (NMAG)

SUMMARY

Synopsis of House Bill 469

House Bill 469 contemplates amending statute related to district attorney (DA) compensation and personnel matters for district attorney offices. Currently, statute is redundant and contains unnecessary language related to DA compensation. The Legislature provides appropriations that determine DA salaries, and HB469 does not change this.

Statute also currently lists those positions that are at-will, or those which serve at the pleasure of the DA. The bill allows the DA association personnel and compensation plan to determine which positions are at at-will. The DA association personnel and compensation plan is adopted by DAs.

The bill also provides that the DAs personnel board will be elected every two years instead of annually.

This bill does not contain an effective date and, as a result, would go into effect June 16, 2023, (90 days after the Legislature adjourns) if signed into law.

FISCAL IMPLICATIONS

The Legislature makes appropriations that determine DA compensation. HB469 seeks to clarify this. There are no estimated fiscal implications.

SIGNIFICANT ISSUES

Analysis from the Administrative Office of the District Attorneys (AODA) notes that the bill's proposed changes would "allow more flexibility for the district attorneys to use their discretion in determining how to staff and run their offices."

DAs currently have rulemaking authority to establish and administer their personnel plan.

HB469 also contemplates repealing antiquated statutes which AODA analysis asserts are no longer applicable.

BG/al/ne