

LFC Requester:

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION
WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO
AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.gov
(Analysis must be uploaded as a PDF)

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: 2025.01.22 *Check all that apply:*
Bill Number: HB 133 Original Correction
 Amendment Substitute

Sponsor: Andrea Reeb **Agency Name and Code** OFRA 68000
Short Title: ID cards for youths in CYFD custody **Number:** _____
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
The bill does not include any appropriations language. I estimate that it would cost CYFD a minimum of \$500,00 to set up the necessary processes, personnel and equipment to initiate this program.	I estimate that it would cost CYFD a minimum of \$200,000 per year to maintain the necessary processes, personnel and equipment to maintain this program.	Nonrecurring – equipment needed to make ID cards: \$300,000 Recurring: processes and personnel to establish and maintain the ID card program.	General

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
None	None	None	None	n/a

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	500	200	200	900	Recurring: 200K per year Nonrecurring:500K	General

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
 Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

Section 1: CYFD is required to provide an opportunity to obtain a standard ID card for any youth between the ages of fourteen (14) and nineteen (19) in CYFD custody within ninety (90) days of the youth coming into CYFD custody, or under the age of twenty-one (21) if participating in the Fostering Connections program.

There are exceptions for youths that are incarcerated, runaways, having physical or mental disabilities, or specialized placement.

Section 2: A youth who does not have a valid NM driver's license may be issued an ID card by CYFD. CYFD shall establish two (2) different ID cards, 1. a REAL ID compliant ID card, and 2. a standard ID card. If a youth is applying for or renewing a REAL ID card, they must provide the necessary documentation required by the federal government. CYFD shall verify the youth's status and social security number. The CYFD Cabinet Secretary shall establish a written process to allow a youth to demonstrate their identity, age, and legal status. Every application for an identification card shall be signed by the youth, or their parent or guardian.

The CYFD Cabinet Secretary, for good cause, may revoke or deny the issuance of an ID card. An application by a youth who is a foreign national with lawful status for a REAL ID compliant ID card shall include alternate record or document issued by the federal government that conveys lawful status. CYFD may issue an ID card to an eligible foreign national for no longer than the duration of the youth's lawful status. If the end date of a foreign national youth's legal status cannot be determined, and the youth is not a legal permanent resident, the ID card shall expire one (1) year after the effective date of the ID card.

CYFD may apply for and receive a standard ID card on behalf of a youth in CYFD custody who has been in custody for thirty (30) or more consecutive days.

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

CYFD does not currently have the equipment or personnel to implement the proposed ID scheme. Creating standard sized ID cards requires specialized equipment. Purchase of equipment is required, as well as training of personnel and hiring sufficient personnel to create the IDs without overburdening CYFD's already depleted staff.

SIGNIFICANT ISSUES

Why would CYFD issue the ID card, rather than help the youth or young adult obtain an ID card already available through the Motor Vehicle Division of the Department of Taxation and Revenue (MVD)?

Why wouldn't a youth who is incarcerated, or with physical or mental disabilities be eligible for an ID card?

Why is this limited to youths in the custody of the Protective Services Division of CYFD and not inclusive of youths in the custody of CYFD?

Youths in CYFD custody will likely not have access to the documentation required for a REAL ID. What responsibility will CYFD have for gathering the necessary documents?

If a youth is unable to sign the application, can CYFD sign it rather than a parent or guardian?

What if the youth's parent or guardian cannot be found?

Why does the CYFD Cabinet Secretary have the right to revoke a youth's ID card, or that of a young adult participating in the Fostering Connections program?

PERFORMANCE IMPLICATIONS

CYFD has neither the expertise, equipment, nor personnel to undertake such a broad endeavor. Because there are staffing shortages across all of CYFD, requiring current staff to take on new duties will only make an already overburdened workforce even more overburdened.

ADMINISTRATIVE IMPLICATIONS

State issued IDs are already readily available through the MVD, without any age restrictions. Having competing IDs would create confusion about the legitimacy of IDs issued by CYFD, nullifying any potential value they might have.

There are Motor Vehicle offices across the State where IDs can be applied for and secured. There is nothing in HB133 indicating how or where CYFD IDs might be processed. This may mean that youths and young adults would have to travel from Jal, Raton, Silver City, Farmington, and other communities across the State to a single CYFD location, presumably Albuquerque or Santa Fe, to obtain their IDs. This would create a burden on CYFD staff responsible for transporting the youths and young adults for this purpose.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Since the Motor Vehicle Division of the Department of Taxation and Revenue already issues ID cards to New Mexico residents of any age, this bill is duplicative of ID cards available to youths and young adults that are readily available, and broadly accepted in the community.

TECHNICAL ISSUES

Who will provide oversight about the application and approval process within CYFD?

What standards will be put in place to minimize bias for or against individual youths requesting such an ID?

OTHER SUBSTANTIVE ISSUES

What value, if any, would an ID card issued by CYFD have?
Once issued, what would be the basis for CYFD to revoke an ID?

ALTERNATIVES

Assist all youths in CYFD custody, regardless of type of custody, to obtain identification cards from the Department of Taxation and Revenue, Motor Vehicle Division. These are distinct from driver's licenses and would not impose any liability on CYFD if/when secured for the benefit of a youth.

Appropriate funds so that youth in CYFD custody can obtain an ID from MVD at no cost.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Nothing, as CYFD already has both the obligation and duty to assist the children and youths in its custody to secure any and all services necessary for their successful transition from childhood to adulthood.

AMENDMENTS

I am not certain whether this bill was introduced in the 2024 or 2023 legislative sessions, or is a new bill, since only a small part of the bill is underlined (indicating new language).