

LFC Requester:	Mercer-Garcia, Rachel
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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: Jan 30 *Check all that apply:*
Bill Number: HB203 Original Correction
 Amendment Substitute

Sponsor: M. Dixon **Agency Name and Code:** State Personnel Office 00378
Short Title: CYFD – State Issued Electronic Devices - Retention of Records **Number:** _____
Person Writing: Dylan K. Lange **Phone:** 505-476-7742 **Email:** Dylan.Lange@spo.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
N/A	N/A		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
N/A	N/A	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	N/A	Unknown	Unknown			

(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:

Requires employees of the Children, Youth and Families Department to only use electronic devices issued by CYFD for communication related to the performance of official duties. Requires CYFD to implement an hourly backup system of all electronic records and to retain such records for at least 24 years after an employee's termination.

FISCAL IMPLICATIONS

SIGNIFICANT ISSUES

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Terminated classified employees are able to appeal their termination pursuant to the Personnel Act and State Personnel Board Rules. These rules state that the primary purpose of discipline is to correct performance or behavior that is below acceptable standards, or contrary to the employer's legitimate interests, in a constructive manner that promotes employee responsibility. Progressive discipline shall be used whenever appropriate. Progressive discipline can range from a reminder to an oral or written reprimand, to a suspension, demotion or dismissal. This rule also requires that agencies shall utilize alternative methods to resolve conflicts or improve employee performance or behavior whenever appropriate.

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

HB203 may require CYFD to have additional personnel and increased costs to administer the requirements set forth. DoIT may incur additional costs to procure a system that complies with the electronic back up requirements HB203.

SB203 is burdensome in its application.

ALTERNATIVES

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL
AMENDMENTS**