

LFC Requester:

Joseph Simon

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

SECTION I: GENERAL INFORMATION

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

Date Prepared: 2/19/2025

Check all that apply:

Bill Number: SB36

Original Correction
Amendment Substitute

Sponsor: Sen. Antoinette Sedillo Lopez

Agency Name and Code Number: 305 – New Mexico Department of Justice

Person Writing

Short Title: Sensitive Personal Information Nondisclosure

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(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						

(Parenthesis () Indicate Expenditure Decreases)

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

SECTION III: NARRATIVE

This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator’s request. The analysis does not represent any official policy or legal position of the NM Department of Justice.

BILL SUMMARY

Synopsis:

Senate Bill 36, the “Nondisclosure of Sensitive Personal Information Act,” (“Act”) prohibits state employees from disclosing sensitive personal data, including but not limited to disability, sexual orientation, and social security numbers, with exceptions for legal and agency functions or with consent. It enforces penalties through civil action by the Attorney General or District Attorneys. The bill also amends the Motor Vehicle Code to ban sharing personal data for federal immigration enforcement, requiring contractors to certify compliance.

FISCAL IMPLICATIONS

N/A

SIGNIFICANT ISSUES

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS

The proposed amendment to Section 5, which creates a new section of the Motor Vehicle Code, removes the general term “federal immigration law,” and clarifies that the prohibition of the disclosure of certain information by employees or contractors relates specifically to the enforcement of the federal Immigration and Nationality Act, while providing an exception for

the felony criminal provisions of that act.

The amendment also adds new language which provides authority to the director of the motor vehicle division to revoke a nongovernmental entity's access to personal information if it is determined that the entity used or disclosed records or information for the purposes of the Immigration and Nationality Act other than permitted by the felony criminal provisions of the act.