

**LFC Requester:** \_\_\_\_\_

**AGENCY BILL ANALYSIS  
2025 Regular Session**

**SECTION I: GENERAL INFORMATION**

*Check all that apply:*  
**Original**     **Amendment**    \_\_\_\_\_  
**Correction**    \_\_\_\_\_ **Substitute**    \_\_\_\_\_

**Date** 2/4/2025  
**Bill No:** SB251

**Sponsor:** Sen. Joshua A. Sanchez    **Agency Name and Code**    EMNRD 521  
**Short Title:** \_\_\_\_\_    **Number:** \_\_\_\_\_  
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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

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

(Parenthesis ( ) Indicate Expenditure Decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	N/A	N/A	N/A	N/A	N/A	N/A

(Parenthesis ( ) Indicate Expenditure Decreases)

**Duplicates/Conflicts with/Companion to/Relates to:**

SB 165 – Return to Work for Lifeguards

**Duplicates/Relates to Appropriation in the General Appropriation Act:**

**SECTION III: NARRATIVE**

**BILL SUMMARY**

SB251 relates to public employees and expands the definition of peace officers who can return to work under certain conditions. SB252 expands the definition of "peace officer" to include employees of the state with a duty to maintain public order or to make arrests for crime, whether that duty extends to all crimes or is limited to specific crimes.

**FISCAL IMPLICATIONS**

By expanding the definition of "peace officer," SB251 proposes to include multiple state agencies that employ certified and commissioned peace officers. For example, the State Parks Division (SPD) the Energy, Minerals and Natural Resources Department employs 79 full-time certified and commissioned peace officers that patrol 35 state parks and enforce the New Mexico Boat Act on all navigable waters of our state.

A return-to-work program would not increase the costs of the retirement system because the worker being employed has qualified for retirement and already decided to retire and begin receiving pension benefits. Under this paradigm, return-to-work merely allows a public employer continued access to the services of experienced employees, who might otherwise go on to work in the private sector or in the public sector for an employer not affiliated with PERA, while continuing to receive their pension.

**SIGNIFICANT ISSUES**

SB251 expands the definition of "peace officer" to include several state agencies that have already been recognized and are supported by the Law Enforcement Retention Fund (Fund). The Fund is administered by the New Mexico Department of Public Safety to provide monies to law enforcement agencies who request the funds for the purpose of providing retention differential disbursements to their peace officers.

**PERFORMANCE IMPLICATIONS**

SPD currently has a 42% vacancy rate and has experienced chronic high vacancy rates due to competition with other law enforcement agencies in our state and neighboring states in both rural and urban areas. SB251 will support SPD by creating another incentivized strategy that will aid in reducing vacancies for park ranger positions that serve and protect people and conserve our most cherished natural and cultural resources across the state.

**ADMINISTRATIVE IMPLICATIONS**

None.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

SB 165 – Return to Work for Lifeguards is related to SB251 and proposes to add certified lifeguards as a position eligible for return-to-work.

**TECHNICAL ISSUES**

None.

**OTHER SUBSTANTIVE ISSUES**

None.

**ALTERNATIVES**

None.

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

If SB251 is not enacted, multiple state agencies that employ peace officers that are certified by the New Mexico Law Enforcement Academy Board and commissioned by their respective statutory authorities will not benefit from the return-to-work provisions of the Public Employees Retirement Act.

**AMENDMENTS**

None.