

Analyst: Felix Chavez

## AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

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### **SECTION I: GENERAL INFORMATION**

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

**Date Prepared:** 2/20/2025

**Bill Number:** SB435

**Sponsor:** Sen. Pinto

**Short Title:** Native American Public Relations & ID System

**Agency Name and Code Number:** NM Indian Affairs Dept 60900

**Person Writing:** Amanda Nezzie

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### **Section II: FISCAL IMPACT**

#### **APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
\$0	\$1,000	Nonrecurring	State General Fund

(Parenthesis ( ) indicate expenditure decreases)

#### **REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
\$0	\$0	\$0	NA	NA

(Parenthesis ( ) indicate revenue decreases)

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

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	\$0	\$0	\$0	\$0	NA	NA

(Parenthesis ( ) Indicate Expenditure Decreases)

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

### **SECTION III: NARRATIVE**

#### **BILL SUMMARY**

##### Synopsis:

SB435 will allocate \$1 million from the state's general fund to the State Department of Justice for fiscal year 2026. The funds are for a public relations campaign aimed at informing New Mexico residents about their rights concerning potential deportation or harassment by federal immigration authorities. The bill also states that the campaign shall include:

1. developing an identification system for members of nations, pueblos, and tribes to verify tribal membership, as well as,
2. a telephone hotline for citizenship status verification.

Any unspent funds at the end of the fiscal year would revert to the general fund.

#### **FISCAL IMPLICATIONS**

While this bill includes an appropriation of \$1,000,000.00 from the state general fund to the State Department of Justice, it does not contain an appropriation for the New Mexico Indian Affairs Department, therefore, there is no fiscal impact to IAD.

#### **SIGNIFICANT ISSUES**

IAD does not oppose a campaign to inform New Mexicans of their rights.

However, developing an identification system and hotline regarding tribal citizenship may prove to be beyond the state's scope. Each of the individual 574 tribes across the country have the inherent right to determine their own citizenship. Additionally, likely, each of those tribes or the Federal Bureau of Indian Affairs appropriately houses those enrollment records. Those bodies help to ensure that self-determination, sovereignty, and data sovereignty remain intact.

It is unclear how a state identification system and hotline to verify tribal membership would work. Rather, as partners with sovereign nations, IAD believes that tribal citizens who need to verify enrollment should contact their respective Nation, Pueblo, or Tribe directly.

Moreover, creating a state identification system for all tribally enrolled members within the State of New Mexico would likely create a burden on the state and may require experts in tribal enrollment. Finally, if the state became a repository of tribal citizenship, all tribal citizenship records would become public record.

#### **PERFORMANCE IMPLICATIONS**

#### **ADMINISTRATIVE IMPLICATIONS**

#### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

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## **TECHNICAL ISSUES**

## **OTHER SUBSTANTIVE ISSUES**

## **ALTERNATIVES**

An alternative for the tribal identification and hotline piece might be to create an appropriation available to nations, pueblos, and tribes, administered by a state agency such as IAD, which NPTs could use to create or issue additional tribal enrollment documentation, if they so chose.

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

## **AMENDMENTS**