

<b>LFC Requester:</b>	<b>Eric Chenier</b>
-----------------------	---------------------

**AGENCY BILL ANALYSIS  
2014 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:**

**LFC@NMLEGIS.GOV**

*And*

**DFA@STATE.NM.US**

*{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}*

**SECTION I: GENERAL INFORMATION**

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

*Check all that apply:*

**Original**        **Amendment**      
**Correction**        **Substitute**   

**Date** February 6, 2014  
**Bill No:** HB335-305 Feb 19

**Sponsor:** Rep. Alonzo Baldonado                      **Reviewing**    Attorney General's Office  
**Short**            Reorganize Department of                      **Person Writing**            Rick Word, AAG  
**Title:**            Public Safety    **Phone:** 827-6029                      **Email** rword@nmag.gov

**SECTION II: FISCAL IMPACT \*\*\*\*FOR LFC OFFICIAL PURPOSES\*\*\*\***  
**AGO STAFF SHOULD LEAVE SHADED AREAS BLANK**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY14	FY15		

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:

Duplicates/Relates to Appropriation in the General Appropriation Act

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY14	FY15	FY16		

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates, Relates to, Conflicts with, Companion to

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

	<b>FY14</b>	<b>FY15</b>	<b>FY16</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>						

(Parenthesis ( ) Indicate Expenditure Decreases)

**SECTION III: NARRATIVE**

This analysis is neither a formal Attorney General’s Opinion nor an Attorney General’s Advisory Opinion Letter. This is a staff analysis in response to the agency’s, committee’s or legislator’s request.

**BILL SUMMARY**

Summary Synopsis: The House Judiciary Committee substitute for House Bill 335 (HB 335HJCS) would, as with the original and amended versions of the bill, reorganize the Department of Public Safety, reclassifying three current divisions of the Department of Public Safety (DPS) as units or bureaus of the New Mexico State Police, itself a Division of DPS. Specifically, the current Special Investigations Division would become a unit of the State Police Division of DPS, while the Training and Recruitment (of which the Law Enforcement Academy Bureau is a part) and the Motor Transportation Division would each become bureaus under the State Police Division. This would be accomplished by amending sections of four major acts, including: the Department of Public Safety Act, NMSA 1978, Sections 9-19-1 through 9-19-11; the untitled act creating the New Mexico State Police, NMSA 1978, Sections 29-2-1 through 29-2-29; the Liquor Control Act, NMSA 1978, Sections 60-3A-1-1 through 60-3A-12; and the Motor Transportation Act, NMSA 1978, Sections 65-1-1 through 65-1-45.

Significant changes in the committee substitute bill include the following:

- Section 3 provides that civilian employees of the former divisions to be brought under the State Police Division shall be subject to the Personnel Act;
- Section 4 expressly provides that officers in the former divisions to be brought under the State Police who are certified officers on the bill’s effective date become members of the State Police;
- Removes the provision in former versions of HB 335 repealing NMSA 1978, 29-7-5.1, which specifies that the Law Enforcement Academy Board’s has authority to remove the Director of the Law Enforcement Academy.

**FISCAL IMPLICATIONS WITH ENACTING THIS BILL**

N/A

**SIGNIFICANT LEGAL ISSUES**

None noted.

**PERFORMANCE IMPLICATIONS WITH ENACTING THIS BILL**

None for this agency.

**ADMINISTRATIVE IMPLICATIONS WITH ENACTING THIS BILL**

None for this agency.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP WITH BILLS INTRODUCED THIS SESSION**

Senate Bill 301 appears to duplicate the original version of HB 335.

**TECHNICAL ISSUES OR DRAFTING ERROR**

None noted.

**OTHER SUBSTANTIVE LEGAL ISSUES**

None noted.

**ALTERNATIVES TO ENACTING THIS BILL**

None noted.

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

Status quo is maintained.

**AMENDMENTS NEEDED TO IMPROVE THIS BILL**

None suggested.