

<b>LFC Requester:</b>	<b>Simon</b>
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**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**

**[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto: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:** 2/19/2025 *Check all that apply:*  
**Bill Number:** SB 36 Original  Correction   
 Amendment  Substitute

**Sponsor:** Sens. Sedillo Lopez, Parajon, Stefanics, & Herndon **Agency Name and Code** State Ethics Commission (410)  
**Short Title:** Sensitive Personal Information Nondisclosure **Number:** \_\_\_\_\_  
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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
<b>Total</b>	Indeterminate	Indeterminate	Indeterminate			General Fund

(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**

##### Amendment:

The Senate Judiciary Committee introduced amendments to Senate Bill 36. SB 36a makes the following changes:

1. Clarification of the Scope of Federal Immigration Law Exemptions
  - Previously, SB 36 prohibited the disclosure of personal information for “federal immigration law” enforcement.
  - The amendment narrows this restriction, stating that disclosure prohibitions now apply only to enforcement of “the federal Immigration and Nationality Act, except felony criminal provisions of that act.”
  - This ensures that while routine immigration enforcement is restricted, cooperation on felony-level immigration offenses remains permissible.
  
2. Revocation of Access for Violators
  - The amendment adds a new provision: “If the director of the motor vehicle division of the department determines a nongovernmental entity has used or disclosed records or information for the purpose of enforcing the federal Immigration and Nationality Act other than felony criminal provisions of that act, the director may revoke the nongovernmental entity’s access to personal information.”
  - This explicitly grants the Motor Vehicle Division (MVD) director the authority to revoke nongovernmental entities’ access to personal data if they violate the amended restriction.

#### **FISCAL IMPLICATIONS**

No additional fiscal implications presented by the amendments beyond those discussed in previous analyses.

#### **SIGNIFICANT ISSUES**

No additional significant issues presented by the amendments beyond those discussed in previous analyses.

#### **PERFORMANCE IMPLICATIONS**

#### **ADMINISTRATIVE IMPLICATIONS**

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

#### **TECHNICAL ISSUES**

No additional technical issues presented by the amendments beyond those discussed in previous analyses.

#### **OTHER SUBSTANTIVE ISSUES**

No additional substantive issues presented by the amendments beyond those discussed in previous analyses.

## **ALTERNATIVES**

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

No additional consequences presented by the amendments beyond those discussed in previous analyses.

## **AMENDMENTS**