NEW MEXICO
ASSOCIATION OF
COUNTIES
33 STRONG

2027
Legislative Priorities

Approved by the NMAC Board of Directors
August 6, 2026

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As we look toward the 2027 sixty-day legislative session, New Mexico's counties remain committed to working with state leaders to strengthen communities across our state. The Board of Directors has identified several priorities that reflect the pressing needs of counties and our shared goal of keeping communities safe, healthy, and resilient.

Counties carry the heavy responsibility of operating detention facilities for the benefit of state and local law enforcement agencies. State reimbursement for housing convicted state prisoners is both legally required and an essential funding source but the legislature has repeatedly failed to appropriate sufficient funds to satisfy its obligation. According to the New Mexico Sentencing Commission, the statutory obligation for the Detention Reimbursement Fund in 2025 was over $9 million, yet only $4.97 million was appropriated in 2026. NMAC supports full funding of the County Detention Facility Reimbursement Act Fund to reimburse counties for the actual cost of housing state inmates.

The Board also recognizes the importance of reliable communication when responding to disasters. NMAC will support continued funding for the monthly operational costs of 700 MHz radios to build the statewide interconnectivity infrastructure needed to protect all New Mexicans in times of crisis.

To help ensure fiscal stability for counties, NMAC will support a special appropriation to offset operational revenue losses in counties that reach the mill rate cap as a direct result of veterans' exemptions enacted by the legislature.

Counties support three narrow amendments to the New Mexico Civil Rights Act (NMCRA) that preserve accountability while addressing the unsustainable escalation in cost: 1. remove the automatic annual escalator in the cap; 2. clarify that stacking damages under both the NMCRA and the New Mexico Tort Claims Act (NMTCA) is not allowed; and 3. Align the notice provision to match the notice requirements under the NMTCA.

NMAC remains committed to working collaboratively — including on the eleven recommendations developed by the Department of Justice's Inspection of Public Records Task Force — to amend the Inspection of Public Records Act (IPRA) to limit abusive requests, protect crime victims and juveniles, and secure critical infrastructure.

Finally, NMAC is considering statutory changes to highlight the critical need for EMS services in statute to meet new federal funding guidelines.

For more information on any of these initiatives, please see the attached background materials or contact me at (505) 660-9629 or jesparsen@nmcounties.org.

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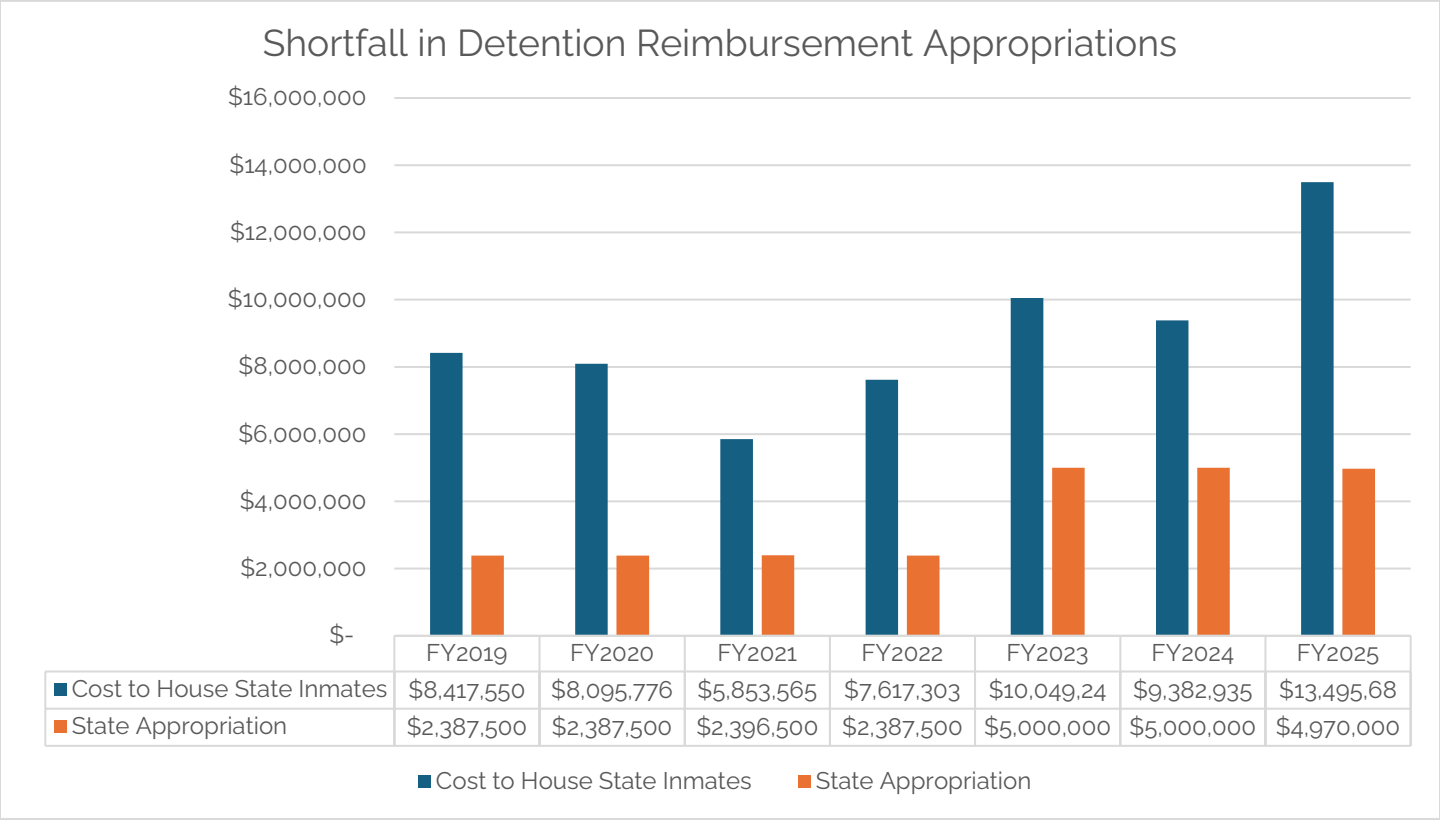
Detention Reimbursement Fund

New Mexico Association of Counties requests that the legislature appropriate **$9,382,935 to the county detention reimbursement fund.** This is the amount calculated by the NM Sentencing Commission that is required to fully reimburse counties pursuant to NMSA 1978 §33-3B-4, to reimburse counties the actual FY24 cost for housing felony offenders who have been sentenced to confinement in state correctional facilities.

The County Detention Reimbursement Fund was **created in 2007 with a $5 million** appropriation following litigation which resulted in an NM Court of Appeals decision holding that the state is required to pay counties for the **actual cost** of housing state inmates. The state has consistently failed to appropriate sufficient funds to satisfy its legal requirement. In the past 5 years the shortfall has amounted to nearly $40 million.



	FY2019	FY2020	FY2021	FY2022	FY2023	FY2024	FY2025
Cost to House State Inmates	$8,417,550	$8,095,776	$5,853,565	$7,617,303	$10,049,24	$9,382,935	$13,495,68
State Appropriation	$2,387,500	$2,387,500	$2,396,500	$2,387,500	$5,000,000	$5,000,000	$4,970,000

700 MHz Radios

New Mexico Association of Counties requests **$5 million** in continued funding to the Department of Information Technology for use in FY2027 to fund the payment of subscriber fees for the digital trunked radio communications system for municipal, county and tribal public safety agencies that provide law enforcement, fire, medical or other emergency services. There are over 20,000 users statewide that currently utilize this mission-critical network known as Wireless Interoperability Network System (WINS).

Special Appropriation for Disabled Veterans Exemption

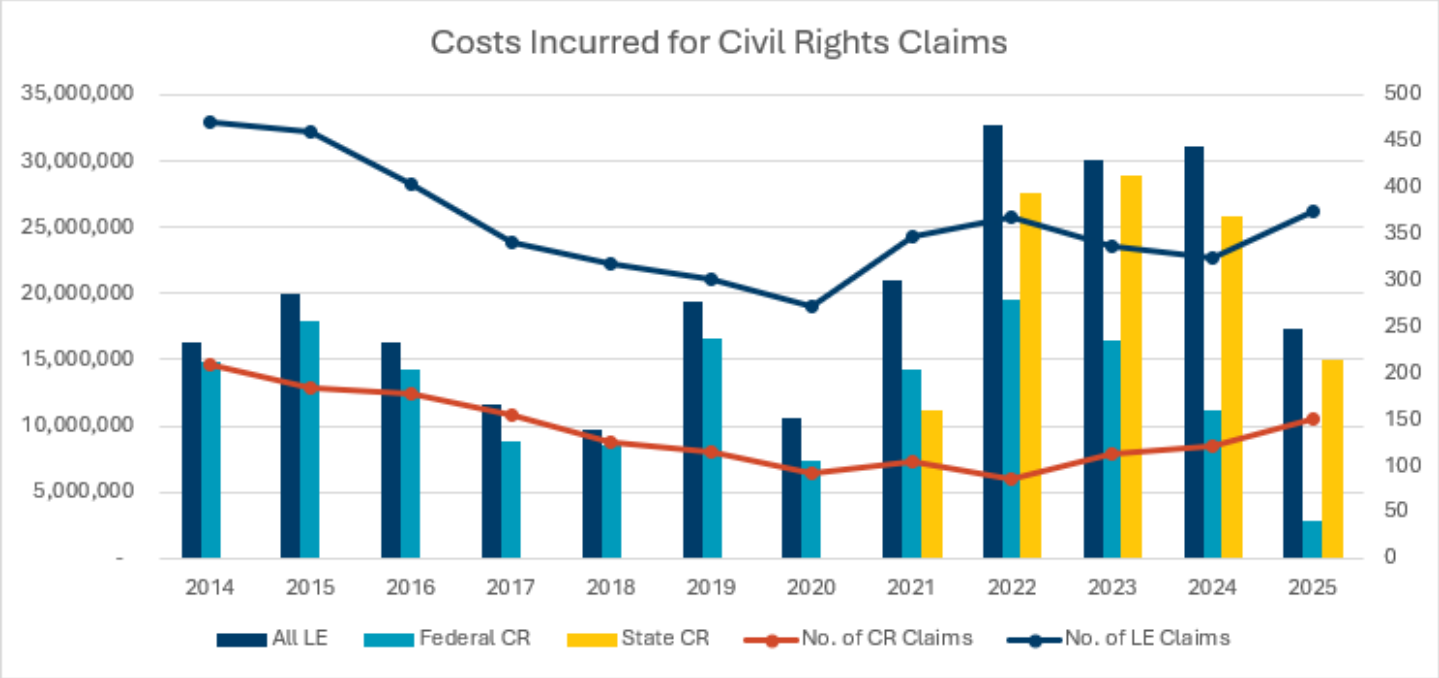
New Mexico Association of Counties is requesting that the legislature consider an appropriation to offset operational revenue losses in counties that reach the mill rate cap as a direct result of veterans' exemptions enacted by the legislature. Yield control redistributes this revenue loss to other property owners, but only up to the Constitutional mill rate cap. Once that cap is reached, local governments and special districts will experience a direct revenue loss which may result in the need to cut critical community services.

Government Solvency (NMCRA)

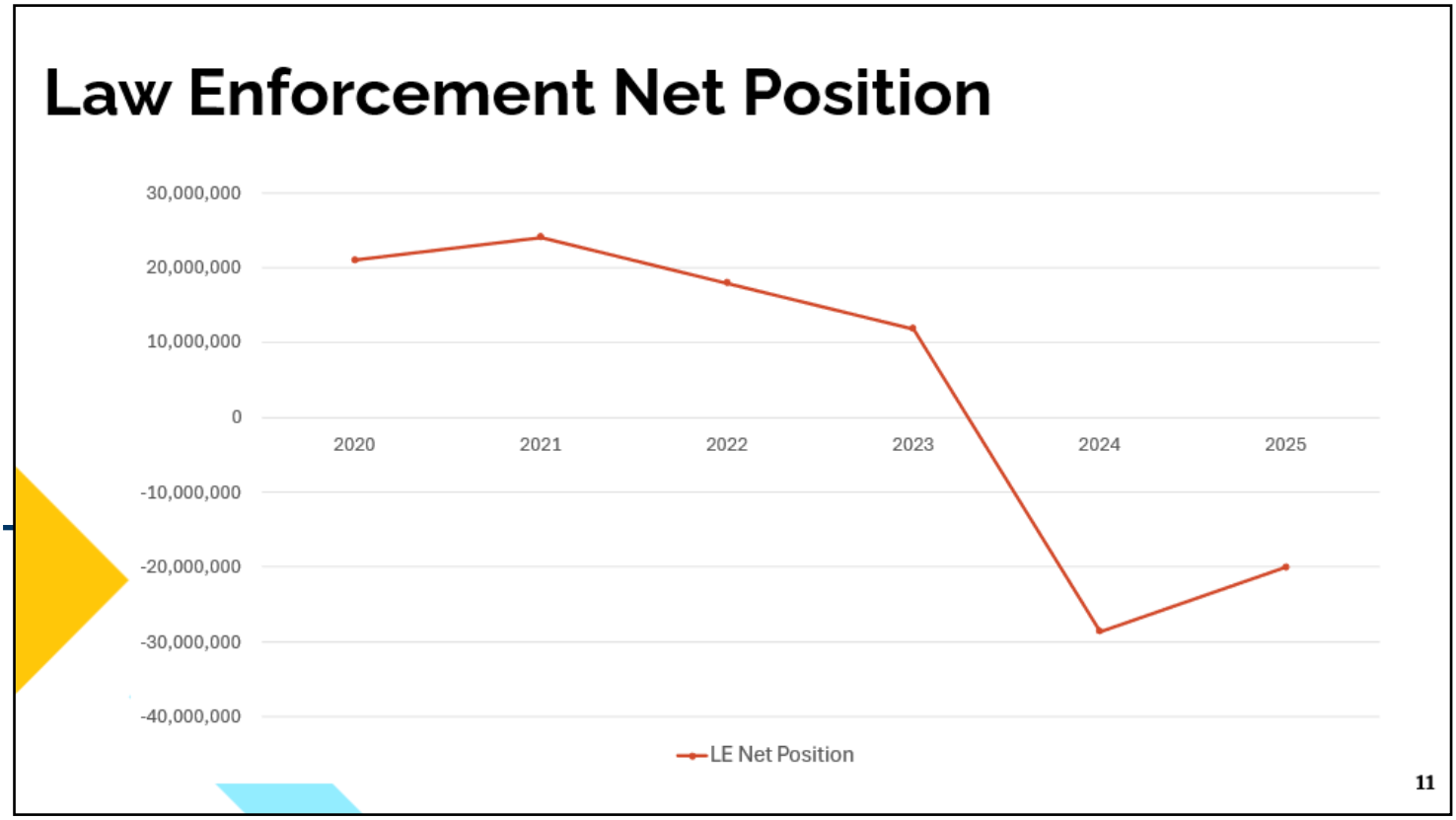
Counties are seeking three narrow amendments to address the threats to governmental solvency: (1) eliminate the automatic annual escalator on liability to match the original cap set by the enabling legislation at 2M; (2) clarify that stacking of damages under both the Civil Rights Act (NMCRA) and the Tort Claims Act (NMTCA) is not allowed as intended by the NMCRA sponsors; and (3) align the notice requirement to make it consistent with well-established NMTCA law to give government a fair opportunity to investigate, mitigate, respond, and where appropriate, resolve claims before litigation costs escalate.

Since New Mexico enacted the Civil Rights Act in 2021, the cost of law enforcement liability claims covered by the New Mexico County Insurance Authority has grown at an unsustainable rate—rising from $10.9 million in 2020 to over $32.6 million in 2022, with 2023 costs still developing but trending the same direction—even though the claim volume hasn't increased. Commercial insurers have largely exited the market in response.

Government accountability is essential and so is solvency to the ability to provide the essential services our communities deserve. Counties look forward to working with legislators this session to strike that balance.



The sharply escalating cost of Law Enforcement liability claims has forced the county insurance pool to substantially increase county contributions, which rose by 106% ($17.5M) from 2020 to 2026. These fixed recurring costs are expected to continue increasing at an annual rate of at least 25% unless legislature undertakes meaningful reform of the NMCRA.



The resulting claims cost trajectory is unsustainable. Despite the significant county pool contribution increases and capital adequacy assessments, the Pool's LE program's net position has dropped by over $40 million.

Inspection of Public Records Improvements

The Inspection of Public Records Act was enacted to promote government accountability and transparency. However, IPRA requests increasingly go beyond the original intent of the law, often benefiting large commercial entities and disrupting vital government functions such as governmental operations, elections, and public safety. The unintended consequences often put victims, juveniles and critical infrastructure at risk and expose counties to costly litigation and statutory penalties. NMAC seeks IPRA reforms that preserve the public's right to access government records while protecting vulnerable individuals and ensuring that public bodies can respond to requests efficiently.

In 2026, the Legislature passed House Joint Memorial 2 (HJM 2), requesting that the Department of Justice (DOJ) convene a task force to study the implementation and effectiveness of the current IPRA. The task force includes input from a broad range of public and governmental stakeholders, including schools, universities, the judicial branch, district attorneys, public defenders, and broadcast journalists. The task force approved the following recommendations:

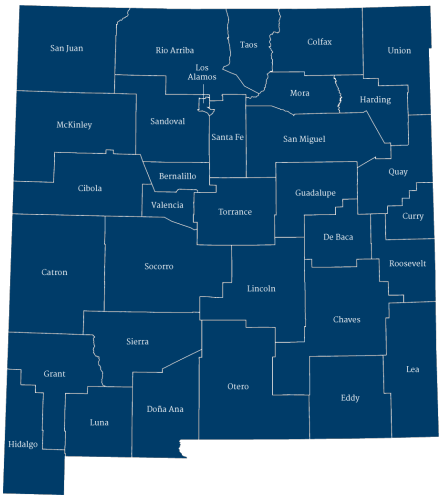
1. Require standardized, statewide reporting of public records and IPRA data.
2. Expand the amount and content of IPRA training.
3. Create and fund a credentialing program for records custodians.
4. Increase funding for digitization and enterprise content management platforms.
5. Create a statewide portal for traffic accident reports.
6. Establish a grant program to help public bodies purchase records management and redaction software.
7. Strengthen and clarify protections for children and vulnerable victims.
8. Require out-of-state requestors of body camera footage to pay the actual cost of review and redaction.
9. Establish an IPRA Ombudsman.
10. Articulate a set of factors for courts to consider when awarding penalties.
11. Require a requester respond within a specified timeline to a custodian's good-faith request for payment of fees authorized under IPRA, or the request may be closed.

NMAC supports the work of the task force and urges the Legislature to give its recommendations full consideration. Should the recommendations not materialize into legislative changes, NMAC is prepared to pursue targeted legislation to address the ongoing concerns facing county governments.

Emergency Medical Services as an Essential Government Service

Support necessary changes to state statute that will recognize emergency medical service (EMS) providers, both career and volunteer, as delivering services that are an integral part of the state's health-care infrastructure. By reflecting this designation, NMAC aims to strengthen counties' eligibility for future federal appropriations, particularly in rural communities where EMS resources are most strained.

New Mexico Association of Counties Legislative Team



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