

TITLE 2 PUBLIC FINANCE
CHAPTER 110 LOCAL GOVERNMENT GRANTS
PART 7 PUBLIC SAFETY WORKFORCE CAPACITY BUILDING PROGRAM

2.110.7.1 ISSUING AGENCY: Department of finance and administration.
[2.110.7.1 NMAC - N, 7/28/2026]

2.110.7.2 SCOPE: These rules govern grant funding available to the state and relevant political subdivisions aimed at expanding the workforce and capacity of public safety roles, including law enforcement, firefighting, detention, corrections, and licensed attorneys in district attorney and public defender offices. They also cover equipment purchases that support these program goals. The scope encompasses all entities eligible for such grants to enhance public safety staffing and resources.
[2.110.7.2 NMAC - N, 7/28/2026]

2.110.7.3 STATUTORY AUTHORITY: The department adopts these rules pursuant to statutory provisions establishing the public safety workforce building program and creating the public safety workforce capacity building fund, Sections 9-6-22 and 9-6-23, NMSA 1978.
[2.110.7.3 NMAC - N, 7/28/2026]

2.110.7.4 DURATION: Permanent.
[2.110.7.4 NMAC - N, 7/28/2026]

2.110.7.5 EFFECTIVE DATE: July 28, 2026, unless a later date is cited at the end of a section.
[2.110.7.5 NMAC - N, 7/28/2026]

2.110.7.6 OBJECTIVE: This rule establishes standards and procedures for administering the public safety workforce building program, including competitive review of applications, equitable allocation of awards, eligible and ineligible uses, expenditure timelines, reporting, evaluation criteria, and program reporting. It ensures funds are used efficiently to increase statewide capacity for the employment of public safety professionals and to support related equipment needs. The program provides grant funding for initiatives that increase the state's available workforce and capacity to employ public safety professionals and to purchase equipment in furtherance of the program's objectives.
[2.110.7.6 NMAC - N, 7/28/2026]

2.110.7.7 DEFINITIONS: As used in this rule:

A. "Applicant" means an eligible entity applying for a grant award under the program. An application shall be on forms and in a manner prescribed by the department and include:

- (1) a description of the proposed initiative;
- (2) a description demonstrating the initiative will meet a program objective; and
- (3) details and specifics as to the reasonably expected costs and completion date.

B. "Department" means the department of finance and administration.

C. "Eligible entity" means the state, a political subdivision of the state, or tribal government.

D. "Fund" means the public safety workforce capacity building fund.

E. "Grantee" means an eligible entity that has accepted an award under the program. If a grantee accepts an offer, the initiative may commence, and the grantee shall report to the department on the initiative's progress on a periodic basis, as determined by the department, including an accounting of expenditures.

F. "Initiative" means a project or activity proposed by an applicant to increase the workforce or employment capacity for public safety professionals, or to purchase equipment in furtherance of the program's objectives, with stated costs and a completion date. Funded initiatives may include recruitment, collaboration between overlapping jurisdictions, and increasing investigative, response, or case management capacity, including recruitment or retention of personnel or training existing personnel to serve in new public safety roles.

G. "Program" means the public safety workforce building program. The public safety workforce building program is established within the department to provide grant funding for initiatives that increase

workforce and capacity for the employment of public safety professionals and for equipment in furtherance of program objectives.
[2.110.7.7 NMAC - N, 7/28/2026]

2.110.7.8 ADMINISTRATION; APPLICATION; REVIEW; AWARD:

A. Application form and content. To receive a grant, an applicant shall apply to the department on a form and in a manner prescribed by the department. An application shall include a description of the proposed initiative, a description demonstrating that the initiative will meet a program objective, and details regarding the reasonable expected costs and completion date.

B. Competitive review and approval. The department shall determine, through a competitive review process pursuant to rules promulgated by the department, which proposed initiatives are approved to receive a grant. The department may adjust the amount requested for a proposed initiative based on its determination of the initiative's reasonable costs.

C. Offer and acceptance. Once an initiative is approved, the department shall promptly offer each applicant a grant, as appropriate. If a grantee accepts an offer, the initiative may commence.

D. Reporting during implementation. A grantee shall report to the department on the initiative's progress on a periodic basis, as determined by the department, including an accounting of expenditures for the initiative.

E. Expenditure deadline and return of unexpended balances. Funds allocated to an approved initiative shall be spent within two years of receiving the grant. Any unexpended balance remaining at the end of the initiative period shall be immediately returned to the department, but no later than thirty days after the end of the initiative period, which shall deposit returned amounts in the public safety workforce capacity building fund.

F. Allocation across counties; equitable distribution. The department may award a grant to an eligible entity and shall allocate grant funds equitably. If applicants whose primary jurisdictions are in different counties apply jointly for a grant and the grant is awarded, each applicant shall receive an award amount based on the applicant's county. The department shall aim to award grants based on an applicant's county as follows:

(1) up to twenty-five percent of the money in the fund at the time of the award, less administrative costs, for grants to applicants whose primary jurisdiction is within a county with a population of at least five hundred thousand;

(2) up to thirty-five percent of the money in the fund at the time of the award, less administrative costs, for grants to applicants whose primary jurisdiction is within a county with a population of at least one hundred thousand but less than five hundred thousand; and

(3) any amount of available money remaining in the fund for grants to applicants whose primary jurisdiction is within a county with a population of less than one hundred thousand, in each case according to the most recent federal decennial census.

[2.110.7.8 NMAC - N, 7/28/2026]

2.110.7.9 AWARD CRITERIA:

A. Department criteria. The department shall develop criteria to guide decisions on awarding a grant.

B. Considerations. In making award determinations, the department shall take into consideration:

(1) an applicant's public safety professional vacancy rate;

(2) the cost of living and comparable market compensation for the applicant's locality; and

(3) the crime rates in the applicant's locality.

C. Priorities. The department shall prioritize consideration of applicant proposals for initiatives that:

(1) target recruitment of individuals who are experienced public safety professionals and are not currently employed by a governmental entity within the state;

(2) include collaborations between overlapping jurisdictions; and

(3) increase investigative, response, or case management capacity, including recruiting or retaining personnel or training existing personnel to serve in new public safety roles

D. Capacity and competence. The department's criteria shall evaluate an applicant's ability and competence to efficiently and adequately complete a proposed initiative.

[2.110.7.9 NMAC - N, 7/28/2026]

2.110.7.10 ELIGIBLE AND INELIGIBLE USES:

A. Eligible uses. A grantee may use a grant to:

- (1) provide a recruitment differential disbursement, including a disbursement for relocation expenses for a newly hired public safety professional, provided that the professional remains employed with the grantee for the period specified in department rule;
 - (2) provide a retention differential disbursement to a public safety professional who is already employed by the grantee and is not an elected public official, provided that the professional remains employed by the grantee for the period specified in department rule;
 - (3) implement professional development initiatives to recruit, train, or retain public safety professionals;
 - (4) implement campaigns to recruit in-state or out-of-state public-safety professionals; or
 - (5) pay for equipment or equipment upgrades tied to professional development initiatives to recruit public safety professionals.
- B. Ineligible uses and limitations.** A grantee shall not use a grant:
- (1) for a recurring initiative, unless the grantee first provides a plan to replace nonrecurring funds with recurring funds to support the initiative;
 - (2) to create a public safety professional position or to fund the base salary of an existing public safety position; or
 - (3) to replace recurring funding.
- [2.110.7.10 NMAC - N, 7/28/2026]

2.110.7.11 REPORTING; PROGRAM ACCOUNTABILITY:

- A.** Grantee expenditure reporting. Grantees must submit programmatic and financial reports to DFA in accordance with grant agreement terms and reporting schedules established by DFA. All reports must be accurate, complete, supported by documentation, certified by an authorized official, and submitted on or before the required deadline. Any unexpended balance remaining after completion of the initiative shall revert to the fund within thirty days of completion.
- B.** Department annual report. By November 1 of each fiscal year, the department shall provide an annual report on the program to the legislative finance committee, including:
- (1) information about each grant applicant, the grant amount requested, and the title and description of the applicant's proposed initiative;
 - (2) grantee information, including the grantee's agency, the grant amount awarded, and the title and description of the grantee's initiative;
 - (3) data collected and evaluations by the department regarding the efficacy of the initiatives of grant award recipients; and
 - (4) the status of ongoing workload studies and the results of completed workload studies.
- [2.110.7.11 NMAC - N, 7/28/2026]

History of 2.110.7 NMAC: [RESERVED]