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## FISCAL IMPACT REPORT

ORIGINAL DATE  
LAST UPDATED

SPONSOR Fajardo HB 104/aHJC

SHORT TITLE Expand Reasons For Amber Alert SB \_\_\_\_\_

ANALYST Chenier

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

	FY13	FY14	FY15	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	NFI	NFI	NFI	NFI	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Department of Homeland Security and Emergency Management (DHSEM)

Department of Public Safety (DPS)

### SUMMARY

#### Synopsis of HJC Amendment

The House Judiciary Committee amendment to House Bill 104 removes the words “believed to be” and requires an abducted child to be “in imminent danger” before an Amber Alert is declared.

#### Synopsis of Original Bill

House Bill 104 would amend Section 29-15A-3 NMSA 1978 to expand the reasons for declaring an “Amber Alert” by removing the requirement that abductions qualify if committed by an unrelated person. The law as is currently written requires that, in order to declare an “Amber Alert”, the abducted child has to be “in imminent danger”. House Bill 104 adds that the abducted child has only to be “believed to be in imminent danger”.

### FISCAL IMPLICATIONS

House Bill 104 contains no appropriation. Additionally fiscal implications relating to operational costs would likely be minimal since the “Amber Alert” system is already in place and the proposed legislation would only narrowly expand the reasons for declaring an alert.

**SIGNIFICANT ISSUES**

The DPS indicates in the past they had to deny the issuance of an “Amber Alert” in custodial abductions of children where there was clear evidence the children were in danger as a result of the abduction. The DPS states further that “in custodial abductions the likelihood of harm coming to an abducted child is high. Allowing for Amber Alerts in custodial abductions may be critical to ensuring child safety”.

ERC/blm