

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current FIRs (in HTML & Adobe PDF formats) are available on the NM Legislative Website (www.nmlegis.gov). Adobe PDF versions include all attachments, whereas HTML versions may not. Previously issued FIRs and attachments may be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

ORIGINAL DATE 02/26/13
LAST UPDATED 03/11/13 **HB** 573/aHCPAC

SPONSOR Gallegos

SHORT TITLE Child Crime Victims Advocacy Fund **SB** _____

ANALYST Jorgensen

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY13	FY14	FY15		
NFI	\$286.0	\$286.0	Recurring	CCVA*

(Parenthesis () Indicate Revenue Decreases)

*Child Crime Victim Advocacy Fund

Relates to Appropriation in the General Appropriation Act

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)
 Administrative Office of the District Attorneys (AODA)
 Children, Youth, and Families Department (CYFD)

SUMMARY

Synopsis of HCPAC Amendment

The House Consumer and Public Affairs Committee amendment to House Bill 573 strikes the requirement that in order to be eligible for money from the child crime victims advocacy fund a program shall include “an initial assessment to determine if a child who is the victim of a crime will benefit from participation in the program”. The amendment includes the requirement that an eligible program employs “the use of child forensic interviews by forensic interviewers who have a forty-hour nationally accredited forensic interview training”.

Synopsis of Original Bill

House Bill 573 creates a new fund, the Child Crime Victims Advocacy Fund, supported by a new court fee of \$2.00 which is collected in district, metropolitan and magistrate courts on convictions of penalty assessment misdemeanors, traffic violations, petty misdemeanors, misdemeanors and felony offenses. The money collected in the fund will be appropriated to the

AODA to provide funds to child crime victims advocacy programs to defray the cost of providing treatment or intervention to child crime victims. This is a non-reverting fund.

FISCAL IMPLICATIONS

Had the provisions of HB 573 been implemented during FY12, the fee would have generated \$286 thousand.

This bill creates a new fund and provides for continuing appropriations. The LFC has concerns with including continuing appropriation language in the statutory provisions for newly created funds, as earmarking reduces the ability of the legislature to establish spending priorities.

SIGNIFICANT ISSUES

Children’s Advocacy Centers provide a child-friendly, safe and neutral location in which law enforcement and Child Protective Services investigators may conduct and observe forensic interviews with children who are alleged victims of crimes, and where the child and non-offending family members receive support, crisis intervention and referrals for mental health and medical treatment.

Given the requirements of the legislation, Children’s Advocacy Centers, formerly known as the Children’s Safehouse Network, would likely be the only recipient of funding from the Child Crime Victims Advocacy Fund.

ADMINISTRATIVE IMPLICATIONS

The AODA has stated that they may require an additional fiscal position to manage the funding, but given the amount of the total funding available and the fact that the AODA has historically provided funding to the Child Advocacy Centers, it is unlikely that the administration of this new funding will require any additional FTE.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

House Bill 2 appropriates \$180 thousand from the general fund to the AODA for statewide children’s advocacy programs. Should HB 573 be enacted, the children’s advocacy centers would receive an increase of \$466 thousand over FY13 levels.

CJ/blm:svb