

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(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

Synopsis:

Amends §40-17-5, NMSA 1978 as follows:

On page 2, lines 23-25, at the language that a law enforcement officer may also file a petition based on credible information that the officer collected while carrying out their official duties

On page 3, line 12, amends paragraph G by adding the language that an order be “filed pursuant to the request of a reporting party.”

On page 4, lines 1-17, adds language setting out the requirements for those events when a petition for an extreme risk firearm protection order is filed upon credible information that a law enforcement officer collected.

On page 5, lines 2-3, amends §40-17-10, NMSA 1978, by eliminating the 48-hour requirement and inserts language “immediately upon” or “as directed by” the court.

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

None

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

SIGNIFICANT ISSUES

HB 12 adds language that makes it possible for law enforcement officers to file petitions for extreme risk firearm protection orders based upon credible information that they may obtain as part of their duties.

Presently, law enforcement officers can only file a petition for an extreme risk firearm protection order if they receive credible information from a reporting party that gives him probable cause to believe that a person poses a significant danger of causing imminent personal injury to themselves or others if they have a firearm.

The amendments to §40-17-10, NMSA 1978 will make it mandatory that a person who is the subject of an extreme risk firearm protection order relinquish their firearms immediately or as

directed by the court instead of waiting 48 hours.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

There do not appear to be any significant impacts to New Mexico District Attorneys' offices.

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo.

AMENDMENTS