LFC Requester:	

# AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

# B

## WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

Agency Analysis.nmlegis.gov and email to billanalysis@dfa.nm.gov

(Analysis must be unloaded as a PDF)

(Analysis must be uploaded as a PDF)											
		RAL INFORMATIO		a correction of	a previous bill}	ł					
	Date Prep Bill Numl		: January 20, 2025 HB 12		_ Check all that apply: _ Original X Correction Amendment Substitute						
Agency and Coc Sponsor: Joy Garrett/Christine Chandler Number				le District Attorneys 264			264				
Short		nts to extreme risk	Donard Garlegos								
Title:	Tirearm pro	otection order act	Phone:	575770312	<u>0                                    </u>	dgalle	egos@questalaw.				
SECTION II: FISCAL IMPACT  APPROPRIATION (dollars in thousands)											
Appropriation				Recurring		Fund					
FY25 FY2		26	or Nonrecu		8						
(Parenthesis	() indicate expe	enditure decreases)									
REVENUE (dollars in thousands)											
Estimated Revenue				Recurri		ng	Fund				
FY25 FY26		FY27		or Nonrecurring		Affected					

(Parenthesis () indicate revenue decreases)

	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**