

LFC Requester:	Scott Sanchez
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AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO
AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.gov
(Analysis must be uploaded as a PDF)

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: 01/21/2025 *Check all that apply:*
Bill Number: HB86 Original Correction
 Amendment Substitute

Sponsor: Elizabeth Thomson **Agency Name and Code Number:** 770-NMCD
Short Title: Human Trafficking & Sexual Exploitation of Children **Person Writing:** Anisa Griego-Quintana
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
0	0	N/A	N/A

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
0	0	0	N/A	N/A

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	0	0	0	0	N/A	N/A

(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: House Bill 86 would broaden the definition of "sexual exploitation of children by prostitution" to include all minors up to the age of 18, rather than just those under 16. Additionally, the bill specifies that it is not a valid defense if the victim involved in such a crime is a police officer posing as a minor. Human trafficking would be included as a crime of racketeering and no one convicted of human trafficking could earn meritorious deductions to ameliorate a sentence.

FISCAL IMPLICATIONS

None for the Corrections Department.

SIGNIFICANT ISSUES

The proposed changes could help reduce recidivism by ensuring that individuals convicted of these crimes are incarcerated for longer periods without the possibility of early release for good behavior. Additionally, because they would be incarcerated for longer periods, they would have more time to enroll in rehabilitative programs offered within NMCD. As a result of the additional time in such programs, the likelihood that these individuals would return to the community and commit similar crimes in the future is less likely. The amendment would send a strong message about the seriousness of these crimes, which could deter potential offenders from engaging in sexual exploitation or trafficking, knowing that the consequences would be severe, and that early release would not be an option.

PERFORMANCE IMPLICATIONS

None for the Corrections Department.

ADMINISTRATIVE IMPLICATIONS

None for the Corrections Department.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None for the Corrections Department.

TECHNICAL ISSUES

None for the Corrections Department.

OTHER SUBSTANTIVE ISSUES

None for the Corrections Department.

ALTERNATIVES

None for the Corrections Department.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

None proposed by the Corrections Department.