

<b>LFC Requester:</b>	Lance Chilton
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**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**  
[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto: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:** 22 JAN 2025 *Check all that apply:*  
**Bill Number:** HB 136 Original  Correction   
 Amendment  Substitute

**Sponsor:** Andrea Reeb **Agency Name and Code** 790 – Department of Public Safety  
Exposure to Fentanyl as Child Abuse **Number:** \_\_\_\_\_  
**Short Title:** **Person Writing** Emmanuel T. Gutierrez  
**Phone:** 505-917-2952 **Email:** Emmanuel.gutierrez@dps.nm.gov

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

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

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
NFI	NFI	NFI	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
<b>Total</b>	NFI	NFI	NFI	NFI	N/A	N/A

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:

Duplicates/Relates to Appropriation in the General Appropriation Act: Very similar to 2024 HB106

### **SECTION III: NARRATIVE**

#### **BILL SUMMARY**

Relating to crime; adding the exposure to the use of Fentanyl as evidence of abuse of a child.

#### **FISCAL IMPLICATIONS**

None.

#### **SIGNIFICANT ISSUES**

None.

#### **PERFORMANCE IMPLICATIONS**

DPS supports critical changes to New Mexico's criminal code, particularly the classification of fentanyl exposure to children as child abuse. During investigations of "drug houses," DPS often encounters children who are in direct contact with fentanyl, a highly potent and dangerous substance that can lead to death. By categorizing this exposure as child abuse, the law would provide greater protection for vulnerable children and enhance efforts to address the dangers associated with fentanyl.

#### **ADMINISTRATIVE IMPLICATIONS**

None.

#### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

None.

#### **TECHNICAL ISSUES**

None.

#### **OTHER SUBSTANTIVE ISSUES**

None.

#### **ALTERNATIVES**

None.

#### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Status Quo Will Remain.

#### **AMENDMENTS**

None.