

LFC Requester: _____

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: 01.29.25 *Check all that apply:*
Bill Number: H 144 Original Correction
 Amendment Substitute

Sponsor: Silva **Agency Name and Code** AOC 21800
Short Title: Chaparral Riding Circuit Court **Number:** _____
Title: _____ **Person Writing** Cynthia Pacheco
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
0	0		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(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		2,250,000	150,000	2,400,000	Recurring	General Funds

(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 144 would require the magistrate court in Otero County to ride circuit to Chaparral on a regular basis.

FISCAL IMPLICATIONS

The legislation contains no appropriations and does not have a delayed effective date. The Judiciary participates in a Unified Budget process. The FY26 Unified Budget does not contain a capital, supplemental, or operating budget request required to operate a riding circuit to the town of Chaparral. Chaparral is geographically situated on two counties – Otero and Dona Ana.

At the time of this writing, there were no commercial properties available for purchase or lease on the Otero County side of the town. Further, Chaparral is an unincorporated town, and has no government center or government buildings that the court could use to hold hearings.

Based on other court buildings and similarly situated circuit courts, the judiciary would require a minimum of \$2,000,000 capital outlay appropriation to build a new facility and a minimum of \$250,000 increase to the 12th Judicial District's operating budget. The increase to the operating budget is based on the need to hire court staff, purchase equipment and furnishings, update materials, and educate justice partners and the public about the new court location. The courthouse would also need to include security outfitting and staffing. The annual cost of the new court location would be \$150,000 minimum per year, plus lease costs if the Judiciary does not own the building.

SIGNIFICANT ISSUES

The bill requires the Otero County Magistrate Court to begin riding circuit to Chaparral on June 20, 2025. Even if the bill were amended and provided adequate appropriations to build and staff the new courthouse, there are multiple facilities projects underway that take precedence due to the caseload or safety concerns with the current locations. The soonest this project could be completed is the end of fiscal year 2029.

The Otero County side of Chaparral is less populated than the Dona Ana County side and serves as a bedroom community for El Paso, Texas. The area is policed by the Otero County Sheriff's Department and the New Mexico State Police. These law enforcement agencies file their traffic and other cases in the Alamogordo magistrate court and would likely continue to do so regardless of whether a courthouse existed in Chaparral.

PERFORMANCE IMPLICATIONS

All magistrate courts in New Mexico, including circuit courts, are open to the public 40 hours per week. New Mexico does not have part-time magistrate courts. Without a workload study, it is impossible to know whether the two existing magistrates are sufficient to operate a circuit court.

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

The magistrate judges are in the middle of their terms, and were elected by Otero County to preside in the Alamogordo courthouse. Changing the seat where they preside in the middle of a term is ill-advised.

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

The AOC and the 12th Judicial District recommend the use of a justice station in lieu of a circuit court. Further, the AOC recommends that workload and usage studies should precede the creation of a new court.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo

AMENDMENTS