

LFC Requester:

Felix Chavez

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

SECTION I: GENERAL INFORMATION

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

Date Prepared: 1/30/2025

Check all that apply:

Bill Number: HB 188

Original Correction
Amendment Substitute

Sponsor: Rep. Sarah Silva

Agency Name and Code Number: 305 – New Mexico Department of Justice

Short Title: EXPAND DONA ANA
MAGISTRATE RIDING
CIRCUIT

Person Writing Analysis: Sarah M. Karni
Phone: 505-537-7676
Email: legisfir@nmag.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(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						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: HB 144
 Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator’s request. The analysis does not represent any official policy or legal position of the NM Department of Justice.

BILL SUMMARY

Synopsis: This bill amends Section 35-1-10 NMSA 1978 (Laws 1968, Chapter 62, Section 12, as amended) to include two additional NM towns—Sunland Park and Chaparral—to the circuit ridden by the seven Dona Ana County magistrate judges. (Circuit riding is the practice of a judge, sometimes referred to as a “circuit rider,” traveling to a judicial district to preside over court cases there.) The addition of Sunland Park and Chaparral doubles the size of the circuit for which the judges would be responsible, as the current statute includes only Anthony and Hatch.

FISCAL IMPLICATIONS — N/A

SIGNIFICANT ISSUES — N/A

PERFORMANCE IMPLICATIONS — N/A

ADMINISTRATIVE IMPLICATIONS — N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP — HB 144, also sponsored by Rep. Sarah Silva, amends an existing New Mexico law regarding the Otero County Magistrate Court to establish a riding circuit to Chaparral. Specifically, the bill modifies NMSA 1978 Section 35-1-22 to require the two existing magistrates in the Otero magistrate district (currently operating out of Alamogordo) to rotate and provide court services in Chaparral on a regular schedule. This change likely aims to improve access to judicial services for residents of Chaparral, ensuring they can more conveniently interact with the magistrate court without having to travel to Alamogordo for every legal matter. The bill maintains the existing structure of having two magistrate divisions but expands their operational reach to include Chaparral as a regular service location.

Therefore, it appears that between HB 188 and HB 144, magistrate services would be expanded to include Chaparral for both Otero and Dona Ana counties.

TECHNICAL ISSUES — N/A

OTHER SUBSTANTIVE ISSUES — N/A

ALTERNATIVES — N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL — Status quo.

AMENDMENTS — N/A