

LFC Requestor: Self Assigned

**2025 LEGISLATIVE SESSION
AGENCY BILL ANALYSIS**

Section I: General

Chamber: House **Category:** Bill
Number: 231 **Type:** Introduced

Date (of THIS analysis): 1/31/25
Sponsor(s): Randall T. Pettigrew, Nicole Chavez, Andrea Reeb
Short Title: ADDITIONAL CRIMES FOR REPARATIONS

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Section II: Fiscal Impact

APPROPRIATION (dollars in thousands)

Appropriation Contained		Recurring or Nonrecurring	Fund Affected
FY 25	FY 26		
\$0	\$0	N/A	N/A

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY 25	FY 26	FY 27		
\$0	\$0	\$0	N/A	N/A

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY 25	FY 26	FY 27	3 Year Total Cost	Recurring or Non-recurring	Fund Affected
Total	\$0	\$0	\$0	\$0	NA	NA

Section III: Relationship to other legislation

Duplicates: None

Conflicts with: None

Companion to: None

Relates to: HB12, SB153

Duplicates/Relates to an Appropriation in the General Appropriation Act: None

Section IV: Narrative

1. BILL SUMMARY

a) Synopsis

House Bill 231 (HB231) proposes to amend Section 31-22-8 NMSA 1978 to:

- Amend the crime reparation act to include assault, battery, criminal sexual contact and armed robbery as enumerated offenses for which reparation to victim may be made.

Is this an amendment or substitution? Yes No

Is there an emergency clause? Yes No

b) Significant Issues

Violent Crime in New Mexico

- Between 2020-2023, the aggravated assault rate in New Mexico (NM) has remained relatively stable (45.5 case per 100,000 people to 49.5 cases per 100,000 people), with its peak in July of 2022 65.9 cases per 100,000 people
- As of December 2023, NM's aggravated assault rate is 2.1 times higher than the United States (US) rate.
- Between 2020-2023, the rate of rapes reported to law enforcement in NM also remained relatively stable (4.4 case per 100,000 people to 4.7 cases per 100,000 people), with its peak in July of 2021 (7.0 cases per 100,000 people)
- As of December 2023, the rate of rapes reported to law enforcement in NM is 1.6 times higher than the US rate.
- Between 2020-2023, the robbery rate in NM declined from 8.9 cases per 100,000 people to 5.7 cases per 100,000 people. The peak was reached February of 2022 (14.6 cases per 100,000 people)
- As of December 2023, The US robbery rate is 1.1 times higher than the NM rate. ([FBI Crime Data New Mexico Crime Data Explorer](#))

The cost of Violent Crime on Victims

- In 2017, the estimated crime costs totaled \$2.6 trillion. Violent crime accounted for 85 % of costs.
- Monetary expenditures caused by criminal victimization represent 3% of Gross Domestic Product – equivalent to the amount spent on national defense.
([Incidence and Costs of Personal and Property Crimes in the USA, 2017 | Journal of Benefit-Cost Analysis | Cambridge Core](#))
- In 2010, researchers estimated that each rape in the US cost taxpayers \$151,423 (based on the 2008 dollar) in tangible and intangible victim costs.
- In 2013, NM law enforcement agencies reported 1,445 incidents of rape. Reported rape costs NM \$219,000,000. In 2023, the unreported cases of rape in NM were estimated to be four times that of reported cases. Taking into account unreported cases, the total cost for NM would be close to \$1 billion.
([CCJ 091217 Item 2 The Costs of Sexual Violence.pdf](#))

New Mexico Victim Reparations Paid

- In 2024 the Crime Victims Reparation Commission (CVRC) received 4,114 applications for reparations.
- Payments totaling \$3,436,444 were made to eligible applicants
- The total victim payout has increased from FY21 (\$2,259,815) to FY24 (\$3,436,444)
([CVRC FY2024 Annual Report \(US Letter\)](#))

Victims Benefits

- Although financial stability and reimbursement for incurred costs or losses do not eliminate all adverse consequences of victimization, they do mitigate problems caused by a lack of material resources and financial strain, which can impair psychological recovery from criminal victimization and prevent a return to pre-victimization functioning.
- Post incident financial trauma trends are shown to be a stronger predictor of the development of posttraumatic stress disorder (PTSD) than are features of the victimization itself.
- In a survey of crime victims identified through law enforcement offices in Maryland, less than one third of respondents had heard of victim compensation before being surveyed. However, even among those aware they could apply for compensation, 70% did not file a claim.
([Reduction of State Victim Compensation Disparities in Disadvantaged Crime Victims Through Active Outreach and Assistance: A Randomized Trial - PMC](#))

2. PERFORMANCE IMPLICATIONS

- Does this bill impact the current delivery of NMDOH services or operations?
 Yes No
- Is this proposal related to the NMDOH Strategic Plan? Yes No
 - Goal 1:** We expand equitable access to services for all New Mexicans
 - Goal 2:** We ensure safety in New Mexico healthcare environments
 - Goal 3:** We improve health status for all New Mexicans
 - Goal 4:** We support each other by promoting an environment of mutual respect, trust, open communication, and needed resources for staff to serve New Mexicans and to grow and reach their professional goals

3. FISCAL IMPLICATIONS

- If there is an appropriation, is it included in the Executive Budget Request?
 Yes No N/A
- If there is an appropriation, is it included in the LFC Budget Request?
 Yes No N/A
- Does this bill have a fiscal impact on NMDOH? Yes No

4. ADMINISTRATIVE IMPLICATIONS

Will this bill have an administrative impact on NMDOH? Yes No

5. DUPLICATION, CONFLICT, COMPANIONSHIP OR RELATIONSHIP

- HB231 is related to HB12 which would allow a law enforcement officer to file a petition based on information collected while carrying out the officer's official duties and would require a respondent to relinquish firearms immediately upon service of an extreme risk firearm protection order.
- HB231 is related to SB153 which would create the crime of home invasion and provide a penalty for this type of offense.

6. TECHNICAL ISSUES

Are there technical issues with the bill? Yes No

7. LEGAL/REGULATORY ISSUES (OTHER SUBSTANTIVE ISSUES)

- Will administrative rules need to be updated or new rules written? Yes No
- Have there been changes in federal/state/local laws and regulations that make this legislation necessary (or unnecessary)? Yes No
- Does this bill conflict with federal grant requirements or associated regulations?
 Yes No
- Are there any legal problems or conflicts with existing laws, regulations, policies, or programs? Yes No

8. DISPARITIES ISSUES

- State- and national-level data suggest that younger, male, and ethnic minority victims are underrepresented among claimants relative to the overall victim population. Black victims are underrepresented as claimants in all categories of crime.
 - Among victims of all ethnic backgrounds, sexual assault is overrepresented, whereas physical assault is under-represented. Individuals of low socioeconomic status (SES) also may be underrepresented.
- [\(Reduction of State Victim Compensation Disparities in Disadvantaged Crime Victims Through Active Outreach and Assistance: A Randomized Trial - PMC\)](#)
- In NM, from 2019-2024, the highest number of aggravated assault victims was among Hispanic males aged 20–29 years.
 - In NM, from 2019-2024, the highest number of rape incidents was among White females aged 10–19 years.
 - In NM, from 2019-2024, the highest number of robbery victims was among White males aged 20–29 years.

[\(FBI Crime Data New Mexico Crime Data Explorer\)](#)

- Of the 4,114 received applicants for reparations from CVRC in 2024
 - 435 (10.6%) were American Indian/Alaska Native
 - 37 (0.9%) were Asian
 - 103 (2.5%) were Black or African American

- 1,931 (46.9%) were Hispanic
- 8 (0.2%) were Native Hawaiian or Other Pacific Islander
- 760 (18.5%) were White
- 168 (4.1%) were Multiple Races
- 672 (16.3%) race was not reported

([CVRC FY2024 Annual Report \(US Letter\)](#))

9. HEALTH IMPACT(S)

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[\(Reduction of State Victim Compensation Disparities in Disadvantaged Crime Victims Through Active Outreach and Assistance: A Randomized Trial - PMC\)](#)

10. ALTERNATIVES

None

11. WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

If House Bill 231 (HB0231) does not pass there will be no addition to Section 31-22-8 NMSA 1978 to amend the crime reparation act to include assault, battery, criminal sexual contact and armed robbery as enumerated offenses for which reparation to victim may be made.

12. AMENDMENTS

None