

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: 02/10/2025 *Check all that apply:*
Bill Number: HB320 Original Correction
 Amendment Substitute

Sponsor: John Block & Stefani Lord **Agency Name and Code Number:** 770-NMCD
Short Title: Necrophilia as a Crime **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 320 would amend the Criminal Code to criminalize “necrophilia” and “criminal desecration of a dead human body.” Three criminal acts are added to the code as felonies.

Necrophilia is defined by two types of acts:

- necrophilia that involves using a dead human body for sexual purposes is a second degree felony
- necrophilia that involves touching the clothed or unclothed intimate parts of a dead human body, or causing a dead human body to touch the intimate parts of a person is a third degree felony.

Criminal Desecration of a dead human body that consists of unlawful dismemberment, disfigurement, mutilation or burning of a dead human body, or any unlawful act that causes a dead human body to be devoured or scattered is a fourth degree felony.

FISCAL IMPLICATIONS

It is unclear how prevalent the conduct at issue is in New Mexico. It is also unknown how many people would either be prosecuted or convicted for these new offenses. Any new crimes or increases in penalties would likely affect the department in the number of individuals sentenced to prison or community supervision, but the department’s resources would likely be sufficient to handle the increase without causing significant fiscal strain.

SIGNIFICANT ISSUES

None for the Corrections Department.

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.