

<b>LFC Requester:</b>	<b>Scott Sanchez</b>
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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:** 02/10/2025 *Check all that apply:*  
**Bill Number:** HB321 Original  Correction   
 Amendment  Substitute

**Sponsor:** John Block & Stefani Lord **Agency Name and Code Number:** 770-NMCD  
**Short Title:** Penalty for Careless Driving and Death **Person Writing:** Anisa Griego-Quintana  
**Phone:** 505-479-2296 **Email:** anisa.griego-quinta@cd.nm.gov

**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
<b>Total</b>	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 321 would create a higher level of careless driving with a higher penalty: careless driving that results in death or great bodily harm to another constitutes a misdemeanor and carries a penalty of imprisonment in the county jail for a definite term less than one year or a fine of no more than \$1,000, or both. Defines great bodily harm as an injury that creates a high probability of death, that causes serious disfigurement or that causes loss of function of any member or organ of the body.

Effective date: July 1, 2025.

#### **FISCAL IMPLICATIONS**

Any increase in penalty for careless driving that results in death or great bodily harm to another would likely affect the department in the number of individuals sentenced to prison or community supervision because of NMSA 1978, Sections 31-19-1 and 33-2-39, 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.