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:	February 13, 2025	Check all that apply:			
Bill Number:	HB 381	Original	X	Correction	
		Amendment Subs		Substitute	

Sponsor:	Stefani Lord, William Hall and Block	Agency Name and Code Number:	Administrative Office of the District Attorneys 264		
Short	Presumption defendant is	Person Writing		Troy Davis	
Title:	dangerous for release	Phone: 50538584	461	Email Davistr@msn.com	

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring	Fund	
FY25	FY26	or Nonrecurring	Affected	

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring	Fund
FY25	FY26	FY27	or Nonrecurring	Affected

(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: Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

House bill 381 creates a presumption against pretrial release for individuals charged with certain dangerous felony offenses.

FISCAL IMPLICATIONS

None

SIGNIFICANT ISSUES

House bill 361 presumption may conflict with Article 2, Section 13 of the New Mexico Constitution that the State is required to prove by "clear and convincing evidence" that the defendant poses a further threat to others or the community. A Constitutional amendment would probably be need to change the burden.

TECHNICAL ISSUES