

LFC Requester:

Rachel Mercer-Garcia

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: 02/12/2025

Check all that apply:

Bill Number: HB 382

Original Correction
Amendment Substitute

Sponsor: Rep. Stefani Lord; Rep. John Block

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

Short Title: FAMILY IN NEED OF COURT-ORDERED SERVICES

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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:
 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: HB 382 amends Section 32A-3B-2 the Family in Need of Court-Ordered Services Act by changing the word “Definitions” to “Definition,” removing the language “Chapter 32A, Article 3B NMSA 1978” to replace it with “the Family in Need of Court-Ordered Services Act,” by expanding the definition, and by adding an appropriation.

Section 1. HB 382 would add a new Subsection E to the Definition of “family in need of court-ordered services” to state the following:

In which the child’s parent, guardian or custodian was investigated by the department and the department found credible evidence that the child is an abused child or a neglected child as provided in the Abuse and Neglect Act;

The current Subsection E would become Subsection F.

Section 2. HB 382 includes an appropriation of one million dollars (\$1,000,000) from the general fund to the administrative office of the courts for expenditure in fiscal year 2026 to assist in expanding the scope of the Family in Need of Court-Ordered Services Act. Any unexpended or unencumbered balance remaining at the end of fiscal year 2026 would revert to the general fund.

Section 3. The effective date for the provisions of this act would be July 1, 2025.

FISCAL IMPLICATIONS

N/A

SIGNIFICANT ISSUES

N/A

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

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

Consider adding a cross-reference in Section 32A-4-22(B) of the Child Abuse and Neglect Act regarding the dispositions a court may make to protect the welfare of the child who has been found to be neglected or abused.