

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: 02/13/2025 *Check all that apply:*
Bill Number: HB 385 Original Correction
 Amendment Substitute

Sponsor: Stefani Lord, John Block **Agency Name and Code**
Chemical Castration of Some **Number:** 760
Sex Offenders **Person Writing** Roberta Cohen
Short Title: **Email** Roberta.cohen@apb.nm.gov
Title: **Phone:** 505-386-6873 : m.gov

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

BILL SUMMARY

Synopsis:

HB 385 proposes Sex offenders convicted of specific crimes must undergo chemical castration as a condition of parole. Treatment involves the administration of hormonal drugs (e.g., medroxyprogesterone acetate) to reduce recidivism.

The requirement applies to offenders convicted of crimes such as aggravated criminal sexual penetration, sexual exploitation of children, and criminal sexual contact of a minor.

Offenders must begin treatment at least one month before their release from custody. The New Mexico Corrections Department will administer the treatment while the offender is incarcerated. Parole officers will direct released offenders on where to continue treatment. Offenders must authorize the sharing of medical records with the parole board.

Offenders must cover the cost of treatment, though an inability to pay will not automatically result in parole denial. If an offender refuses chemical castration, it constitutes a parole violation. The offender will be immediately remanded to prison for the remainder of their sentence.

The parole board will periodically review whether continued chemical castration treatment is necessary. The board may revoke or modify parole conditions if the offender is found non-compliant.

FISCAL IMPLICATIONS

There would be no significant financial impact on the Parole Board. However, the New Mexico Corrections Department (NMCD) would incur additional incarceration costs for offenders who violate the requirement to continue chemical castration treatment. These costs would arise from detaining offenders while they await a parole violation hearing. Additionally, HB 385 does not provide financial assistance for parolees who cannot afford continued treatment after their release, creating a financial burden that could make reintegration more difficult and potentially increase the risk of recidivism.

SIGNIFICANT ISSUES

Not all sex offenses are driven by biological urges. Psychological and sociological factors also contribute to recidivism, meaning chemical castration may not be an effective solution for all offenders. HB 385 also does not provide any behavioral therapy to assist with effectiveness. There is also no guidelines on what will be done for offenders who reoffender with another sex crime.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

Section 2B 5 indicates that a risk and needs assessment regarding the sex offender, develop by the sex offender management board of the New Mexico sentencing commission or other appropriate entity, to be used by appropriate parole board personnel. The sentencing commission no longer has a sex offender management board. This board would have to be reestablished.

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo

AMENDMENTS