

<b>LFC Requester:</b>	Rachel Mercer-Garcia
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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:** 2/20/2025 *Check all that apply:*  
**Bill Number:** HB 470 Original  Correction  
 Amendment  Substitute

**Sponsor:** Representative Pamela Herndon **Agency Name and Code:** Office of Family Representation & Advocacy 6800  
**Short Title:** “Neglected Child” Definition **Number:** \_\_\_\_\_ **Person Writing:** Wolfgang J. Bomgardner  
**Title:** \_\_\_\_\_ **Phone:** 505-538-0134 **Email:** wolf.bomgardner@ofra.nm.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
<b>Total</b>						

(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: Defines “deadly weapon” and “firearm” in the Abuse and Neglect Act. Adds to the definition of a “Neglected Child” a child whose parent, guardian, or custodian negligently allows a child access to a deadly weapon or firearm without adult supervision.

### **FISCAL IMPLICATIONS**

This bill is unlikely to have a significant impact on caseloads in children’s court.

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

### **SIGNIFICANT ISSUES**

Although CYFD can already intervene in a family when there are conditions in a home that endanger the health or life of a child, this bill makes it explicit that allowing a child unsupervised access to a firearm or deadly weapon could constitute negligence.

### **PERFORMANCE IMPLICATIONS**

### **ADMINISTRATIVE IMPLICATIONS**

### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

HB 303 and SB 430 also consider the Abuse and Neglect Act.

### **TECHNICAL ISSUES**

### **OTHER SUBSTANTIVE ISSUES**

### **ALTERNATIVES**

A public health approach to educating the public about the risks of children having unsupervised access to firearms and other deadly weapons would be an important companion effort to this legislation aimed at creating safe households. Such an approach could focus on decreasing the number of available weapons, promoting safe weapon storage, and non-stigmatizing public education about the dangers of weapons.

### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

None. The same section of the Abuse and Neglect Act already establishes that it is child abuse if a child is at risk of suffering serious harm due to the action or inaction of their parents and that it is neglect if a child is “without proper parental care and control . . . necessary for the child’s well-being because of the faults or habits of the child’s parent, guardian or custodian or the failure or refusal of the parent, guardian or custodian, when able to do so, to provide them[.]”

### **AMENDMENTS**