

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: 21 FEB 2025 *Check all that apply:*
Bill Number: HB 496 Original Correction
 Amendment Substitute

Sponsor: Joy Garratt **Agency Name and Code** 790 – Department of Public Safety
Short Title: Felon in Possession of Firemen Penalty **Number:** _____
Person Writing Emmanuel T. Gutierrez
Phone: 505-917-2952 **Email:** Emmanuel.Gutierrez@dps.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
NFI	NFI	N/A	N/A

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
NFI	NFI	NFI	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
Total	NFI	NFI	NFI	NFI	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

This bill enhances penalties for felons in possession of a firearm, upgrading the offense from a third-degree felony to a second-degree felony for the first violation and to a first-degree felony for any subsequent offenses.

FISCAL IMPLICATIONS

No fiscal implications to DPS.

SIGNIFICANT ISSUES

No significant issues for DPS.

PERFORMANCE IMPLICATIONS

Felons in possession of firearms pose a significant risk to public safety. By increasing the penalties for those caught possessing firearms, the bill serves as a strong deterrent to prevent individuals with felony convictions from illegally obtaining and carrying weapons. The prospect of harsher penalties could discourage felons from engaging in criminal conduct that could lead to further violent crimes.

By enhancing penalties for felons found in possession of firearms, law enforcement agencies would have a more effective legal tool for combating gun crime and enhancing public safety. The bill would provide police with a stronger deterrent when arresting individuals with prior criminal convictions who possess illegal firearms, supporting ongoing efforts to reduce gun-related offenses. Law enforcement agencies often encounter difficulties in curbing gun violence and criminal possession of firearms, particularly when individuals who have already demonstrated criminal behavior continue to obtain weapons. Enhanced penalties can reinforce officers' efforts by making it a more significant legal consequence to possess a firearm illegally, thereby potentially leading to better outcomes in arrests, prosecutions, and deterrence.

This bill would also bring the punishment of an offender who is charged with being a felon in possession of a firearm in state court more in line with the potential punishment from federal court.

ADMINISTRATIVE IMPLICATIONS

No administrative implications for DPS.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

No conflict, duplications, companionship, relationships to DPS.

TECHNICAL ISSUES

No technical issues to DPS.

OTHER SUBSTANTIVE ISSUES

No other substantive issues.

ALTERNATIVES

No alternatives for DPS.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo will remain.

AMENDMENTS

No amendments for DPS.