

<b>LFC Requester:</b>	
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**AGENCY BILL ANALYSIS  
2025 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:**

**AgencyAnalysis.nmlegis.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}*

*Check all that apply:*

**Original**        **Amendment**      
**Correction**        **Substitute**   

**Date** 1/24/25  
**Bill No:** SB 17-280

**Sponsor:** Leo Jaramillo and Nicole Chavez  
**Short Title:** Parole and Parole Board Changes  
**Agency Name and Code Number:** Law Offices of the Public Defender-280  
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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 Expenditure Decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	<b>FY25</b>	<b>FY26</b>	<b>FY27</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<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:

The New Mexico Parole Board (NMPB) is responsible for conducting timely parole hearings and parole revocation hearings for adult offenders.

SB-17 would amend the language of NMSA 1978, 31-21-10, which provides guidance to the NMPB about how they must conduct hearings for prisoners who become eligible for parole. Subsection A deals with offenders who were sentenced to a life sentence. The amendments in Subsection A clarify that a parole decision should not rely heavily on the conduct underlying the conviction, as the life sentence imposed already operated as punishment for that conduct. Instead, the statute guides the NMPB to evaluate the prisoner’s conduct after imposition of the sentence—to assess if the offender has demonstrated that s/he has shown character improvements during the period of incarceration that would make him/her fit to be released into the community. It also allows for a victim (or representative) to speak to the NMPB before a parole decision is made.

SB-17 would also amend the language of NMSA 1978, 31-21-24. That statute currently describes the NMPB – it consists of 15 members appointed by the governor with the consent of the state Senate and states that members serve 6-year terms. Currently the governor may change the composition of the NMPB by removing members at will. The amendments proposed for Subsection C would require cause for removal and some process for the person being removed. Removal proceedings will be litigated in and decided by the New Mexico Supreme Court. The amendments to Subsection E expressly allows for NMPB members to receive per diem and mileage for both NMPB meetings *and* hearings.

SB-17 also proposes to add a new statute, 31-21-25.2 that aims to set hearings to avoid the birth/death anniversaries of the victim so that the hearings occur in a manner that is mindful of those who continue to be emotionally impacted by the underlying crime.

**FISCAL IMPLICATIONS**

The LOPD will likely not be fiscally impacted by the amendments proposed in SB-17 as the LOPD currently only represents offenders subject to sex-offender parole hearings under 31-21-10.1(C). *See* 31-21-10.1(F) (“The board shall notify the chief public defender of an upcoming parole hearing for a sex offender pursuant to Subsection C of this section, and the chief public

defender shall make representation available to the sex offender at the parole hearing.”)

### **SIGNIFICANT ISSUES**

None noted.

### **PERFORMANCE IMPLICATIONS**

None noted.

### **ADMINISTRATIVE IMPLICATIONS**

None noted.

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

None noted.

### **TECHNICAL ISSUES**

None noted.

### **OTHER SUBSTANTIVE ISSUES**

None noted.

### **ALTERNATIVES**

None noted.

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

Not enacting this bill would leave things as they currently are, but it appears that our parole statutes have not been meaningfully amended in quite some time. Evidence-backed studies released within the past few decades reveal the need for these types of changes to modernize our parole statute.

### **AMENDMENTS**