

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: 23 JAN 2025 *Check all that apply:*
Bill Number: SB 18 Original Correction
 Amendment Substitute

Sponsor: Craig W. Brandt **Agency Name and Code** 790 – Department of Public Safety
Short Title: Crime of Swatting **Number:** _____
Person Writing Emmanuel T. Gutierrez
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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: Very similar to 2024 SB66

SECTION III: NARRATIVE

BILL SUMMARY

Creates the crime of “swatting” to address false or misleading reports to a public safety agency of an ongoing emergency with intent to cause an immediate agency response; and makes the crimes of swatting, making a bomb scare and making a shooting threat all fourth degree felonies. Provides that a court may order restitution for economic harm caused by the offense.

FISCAL IMPLICATIONS

None.

SIGNIFICANT ISSUES

None.

PERFORMANCE IMPLICATIONS

Recent changes to New Mexico’s criminal code, especially the creation of the crime of “swatting,” reflect a growing awareness of the impact of this dangerous practice. **Swatting** involves falsely reporting an emergency, typically a violent crime or hostage situation, with the intent to provoke a large law enforcement response, such as deployment of a SWAT team. This can lead to significant risk to public safety and the community at large, the waste of police resources, and emotional distress for the individuals targeted.

Swatting incidents have been a growing concern across the U.S. in recent years, with increasing reports of these dangerous hoaxes:

1. **Frequency:** While exact numbers may vary by state and year, there have been hundreds of reported swatting incidents in recent years. According to the FBI, between 2018 and 2021, they recorded more than 100 cases annually, with the numbers showing an upward trend.
2. **Impact on Emergency Services:** Swatting often results in the deployment of SWAT teams, bomb squads, and other emergency responders. This diverts critical resources from real emergencies, sometimes putting public safety and the community at large at risk.

The creation of specific laws like New Mexico's against swatting ensures there are clearer consequences for this type of dangerous activity, which, if left unchecked, can lead to tragic outcomes. It also sends a message to the public that these kinds of calls will be taken seriously and will have serious consequences for those who commit these acts. DPS supports this bill.

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo will remain

AMENDMENTS

None.