

LFC Requestor: KLUNDT, Kelly

**2025 LEGISLATIVE SESSION  
AGENCY BILL ANALYSIS**

**Section I: General**

**Chamber:** Senate  
**Number:** 26

**Category:** Bill  
**Type:** Introduced

**Date** (of THIS analysis): 1/23/25  
**Sponsor(s):** Antoinette Sedillo Lopez  
**Short Title:** PROTECTION AGAINST ABUSE AND VIOLENCE ACT

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**Section II: Fiscal Impact**

**APPROPRIATION (dollars in thousands)**

Appropriation Contained		Recurring or Nonrecurring	Fund Affected
FY 25	FY 26		
\$0	\$0	None	None

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY 25	FY 26	FY 27		
\$0	\$0	None	None	\$0

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

	FY 25	FY 26	FY 27	3 Year Total Cost	Recurring or Non-recurring	Fund Affected
<b>Total</b>	\$0	\$0	\$0	\$0	None	None

**Section III: Relationship to other legislation**

Duplicates: None

Conflicts with: None

Companion to: None

Relates to: 2025 HB12

Duplicates/Relates to an Appropriation in the General Appropriation Act: n/a

## Section IV: Narrative

### 1. BILL SUMMARY

#### a) Synopsis

Senate Bill 26 (SB26) renames the Family Violence Protection Act to the Protection Against Abuse and Violence Act and makes extensive changes to broaden definitions related to violence.

Is this an amendment or substitution?  Yes  No

Is there an emergency clause?  Yes  No

#### b) Significant Issues

##### **Health related costs of Intimate Partner Violence (IPV)**

Intimate Partner Violence (IPV) is broader than domestic violence as it includes physical aggression, threatening behavior, emotional abuse (i.e., intimidation or controlling behavior to isolate an individual) that can involve (a) parents, children, siblings, or roommates living in the same household; or (b) romantic partners who may or may not be living together ([Domestic Violence and Its Effects on Women, Children, and Families](#)). In New Mexico, intimate partner violence is an area of concern, with 37.6% of women and 33.3% of men experiencing IPV during their lifetime([https://nmcsap.org/wp-content/uploads/DV\\_Report\\_2021\\_Betty\\_Caponera\\_dec22web.pdf](https://nmcsap.org/wp-content/uploads/DV_Report_2021_Betty_Caponera_dec22web.pdf)).

Several economic costs of intimate partner violence include medical care, mental health care, and property damage and loss (<https://journals.sagepub.com/doi/pdf/10.1177/1524838010374371>). A recent study by Hisasue et al. (2024) estimated the direct health-related costs for victims of IPV using linked data from police reports and two healthcare registers in Finland from 2015 to 2020 (N=21,073) ([Health-Related Costs of Intimate Partner Violence: Using Linked Police and Health Registers](#)). Several key findings from this study were that:

- Victims of IPV had significantly increased healthcare costs over the five-year period after being first identified as a victim.
- Annual healthcare costs for victims of IPV were consistently higher than nonvictims (the general population) over the five-year period.

- Healthcare costs were highest in the first year after the IPV, which is consistent with previous research.
- Women, unemployed individuals, and less educated individuals were more at risk for IPV.
- Only 20% of IPV victims had a violence-related health diagnosis in their health records over the five-year period.

SB26 provides for significant changes to the current Family Violence Intervention Act, broadening its scope beyond violence against family members who are part of the same household. SB26 also greatly expands the definition of abuse. This expanded definition will give law enforcement and courts greater flexibility to request and grant protective orders when acts of violence or abuse are committed against children or intimate partners who may or may not be members of the household.

## 2. PERFORMANCE IMPLICATIONS

- Does this bill impact the current delivery of NMDOH services or operations?

Yes  No

If yes, describe how.

- Is this proposal related to the NMDOH Strategic Plan?  Yes  No

Goal 1: We expand equitable access to services for all New Mexicans

Goal 2: We ensure safety in New Mexico healthcare environments

Goal 3: We improve health status for all New Mexicans

Goal 4: We support each other by promoting an environment of mutual respect, trust, open communication, and needed resources for staff to serve New Mexicans and to grow and reach their professional goals

## 3. FISCAL IMPLICATIONS

- If there is an appropriation, is it included in the Executive Budget Request?  
 Yes  No  N/A
- If there is an appropriation, is it included in the LFC Budget Request?  
 Yes  No  N/A
- Does this bill have a fiscal impact on NMDOH?  Yes  No

## 4. ADMINISTRATIVE IMPLICATIONS

Will this bill have an administrative impact on NMDOH?  Yes  No

## 5. DUPLICATION, CONFLICT, COMPANIONSHIP OR RELATIONSHIP

SB26 is similar to House Bill 12 (HB12), which amends the Extreme Risk Firearm Protection Order Act.

## 6. TECHNICAL ISSUES

Are there technical issues with the bill?  Yes  No

## 7. LEGAL/REGULATORY ISSUES (OTHER SUBSTANTIVE ISSUES)

- Will administrative rules need to be updated or new rules written?  Yes  No
- Have there been changes in federal/state/local laws and regulations that make this legislation necessary (or unnecessary)?  Yes  No

- Does this bill conflict with federal grant requirements or associated regulations?  
 Yes  No
- Are there any legal problems or conflicts with existing laws, regulations, policies, or programs?  Yes  No

## 8. DISPARITIES ISSUES

### Who is at-risk for IPV?

Several marginalized groups face higher rates of intimate partner violence, including among racial minority populations, individuals of lower socio-economic opportunity, and immigrant populations. ([Intimate Partner Violence and Its Health Impact on Disproportionately Affected Populations, Including Minorities and Impoverished Groups - PMC](#)). Further this research suggests individuals who are part of these groups experience more negative health consequences as a result IPV.

## 9. HEALTH IMPACT(S)

IPV impacts children exposed to IPV (e.g., witness violence, hear but don't observe violence, or see bruises / broken furniture after an incident of IPV) in several ways including:

- About 50% of children exposed to IPV have clinical levels of emotional and behavioral problems that require behavioral health services
- Preschool children often have sleep disturbances (i.e., insomnia, nightmares, enuresis) and are at increased risk for physical injuries secondary to IPV between adults including head and eye injuries.

Several studies have found that Women who were victims of IPV were at risk for diagnoses of: generalized anxiety, depression, harmful alcohol consumption, and psychoactive drug dependence. ([Domestic Violence and Its Effects on Women, Children, and Families](#)).

## 10. ALTERNATIVES - none

## 11. WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

If SB26 is not enacted, the Family Violence Protection Act will not be amended to be the Protection Against Abuse and Violence Act and no changes will be made to the definitions related to domestic abuse and will be continued to be limited in scope to household members.

## 12. AMENDMENTS

None