

LFC Requester: _____

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: January 29, 2025 *Check all that apply:*
Bill Number: SB 35 Original Correction
 Amendment Substitute

Sponsor: Antonio Maestas **Agency Name and Code Number:** Administrative Office of the District Attorneys 264
Short Title: Shooting at or from motor vehicle separate crimes **Person Writing:** Troy Davis
Phone: 5053858461 **Email:** Davistr@msn.com

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
Total						

(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 bill amends Section 30-3-8 NMSA 1978 to distinguish between shooting at a motor vehicle and shooting from a motor vehicle, making them separate crimes with specific penalties. It also outlines the penalties for shooting at a dwelling or occupied building. The bill includes provisions for the seizure and forfeiture of motor vehicles used in these crimes, mandates the revocation of driver's licenses for those convicted, and specifies that such offenses are considered violent felonies under the Criminal Sentencing Act. Additionally, it amends Section 66-5-29 NMSA 1978 to ensure mandatory revocation of licenses for these offenses.

FISCAL IMPLICATIONS

None. Does not change the penalties or makes a new crime.

SIGNIFICANT ISSUES

TECHNICAL ISSUES

Clarifies the existing statute.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Addresses the increase in drive by shootings in New Mexico. Lowers the standard mens rea standard on shooting at a motor vehicle to a reckless disregard standard.