

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: 28 JAN 2025 *Check all that apply:*
Bill Number: SB 149 Original Correction
 Amendment Substitute

Sponsor: Antonio Maestas **Agency Name and Code** 790 – Department of Public Safety
Short Title: Creating the crime of cyberbullying **Number:** _____
Person Writing Randy Larcher
Phone: 575-386-7712 **Email:** Randyt.larcher@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 will make cyberbullying a crime consisting of a person communicating directly or indirectly in writing or electronically with a public or private school student with “reckless disregard” to the harm it causes a student.

FISCAL IMPLICATIONS

None to DPS.

SIGNIFICANT ISSUES

None to DPS.

PERFORMANCE IMPLICATIONS

DPS strongly supports this bill. It aims to protect students from the devastating effects of cyberbullying while ensuring clear legal consequences for those responsible. It addresses the various ways in which cyberbullying can harm students, from emotional distress to physical harm, and offers a tiered penalty system that escalates based on the severity of the harm inflicted.

Currently, law enforcement officers face challenges when trying to address cyberbullying incidents because the law has not caught up with technological advances, requiring them to use legal framework that may not completely fit or is vague. By making cyberbullying a criminal act, this bill would give the DPS and other law enforcement agencies a clear, enforceable statute to address these offenses, which would streamline investigations and prosecutions. Furthermore, it would create greater opportunities to hold offenders accountable.

The bill aligns with the DPS’s mission to safeguard public welfare, particularly with respect to the youth in New Mexico.

ADMINISTRATIVE IMPLICATIONS

None to DPS.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None to DPS.

TECHNICAL ISSUES

None to DPS.

OTHER SUBSTANTIVE ISSUES

None to DPS.

ALTERNATIVES

None to DPS,

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo will remain.

AMENDMENTS

None to DPS.