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| LFC Requester: | Felix Chavez |
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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: SB155 Original Correction
 Amendment Substitute

Sponsor: Antonio Maestas **Agency Name and Code** 790 – Department of Public Safety
Short Title: Relating to embezzlement; allow 12 month aggregation **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

Amends the Criminal Code to aggregate the penalty for embezzlements that are committed within consecutive 12-month periods. Would punish all embezzlements within a one-year period as one crime, rather than treating each as a separate instance, and would aggregate the value of embezzled items for the purposes of sentencing.

FISCAL IMPLICATIONS

No fiscal impact to DPS.

SIGNIFICANT ISSUES

No significant issues to DPS.

PERFORMANCE IMPLICATIONS

DPS believes this bill would be helpful to law enforcement because it would allow a higher level of charging for embezzlement crimes that occur over several different events. It would also give law enforcement a better tool to deal with individuals who regularly commit embezzlement. Professional criminals are aware of the threshold dollar amounts between misdemeanors and felonies as well as between degrees of the different felonies. They often steal an amount just below the threshold to make it a higher level of crime because they know it will lessen the criminal penalties they are exposed to. This bill would prevent that “loophole” from being used by offenders and ensure they are charged at a level equal to the crime they are committing. The end result would be a positive impact on public safety as the primary people affected by this law change would be repeat offenders and carry out crime in an organized manner.

ADMINISTRATIVE IMPLICATIONS

No administrative implications to DPS.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

No conflict, duplication, companionship or relationship to DPS.

TECHNICAL ISSUES

No technical issues to DPS.

OTHER SUBSTANTIVE ISSUES

No other substantive issues to DPS.

ALTERNATIVES

Not applicable as no impact to DPS.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo will remain.

AMENDMENTS

None at this time.