LFC Requester:	

# **AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

## WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

<u>AgencyAnalysis.nmlegis.gov</u> and email to <u>billanalysis@dfa.nm.gov</u>

(Analysis must be uploaded as a PDF)

	I: GENERAL IN nalysis is on an origina		•	a correction	of a p	revious bil	(I)	
	Date Prepared:	February 5, 2	2025	Check all that apply:				
	Bill Number:	SB 255		Original X Correction Amendment Substitute		<u> </u>		
Sponsor:	Michael Padilla		Agency and Coo Number	de			tive Offi orneys 2	ce of the 64
Short Title:	Sale of Firearms v background check		Person Phone:	<b>Writing</b> 50538584	461	Troy E Email		r@msn.com

### **SECTION II: FISCAL IMPACT**

## **APPROPRIATION** (dollars in thousands)

Appropriation		Recurring	Fund		
FY25	FY26	or Nonrecurring	Affected		

(Parenthesis ( ) indicate expenditure decreases)

## **REVENUE** (dollars in thousands)

Estimated Revenue			Recurring	Fund
FY25	FY26	FY27	or Nonrecurring	Affected

(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:

Senate Bill 255 would make sale of firearms without a background check a third-degree felony. SB 255 would also add facilitation of unlawful sales which involves allowing or failing to prevent unlawful sale through platforms where reasonable measures could be taken place to block such sales. The bill adds unlawful sale of firearms without background check as a predict felony for racketeering.

### FISCAL IMPLICATIONS

Additional resources for district attorneys' offices, law office of the public defender, and judiciary.

### **SIGNIFICANT ISSUES**

SB 255 new language of facilitation is aimed at gun store sales since the language talks about industry standards. "Industry standards" is vague term and would be difficult to prove without an expert. The deletion of "industry standards" and just reasonable standards would be more practical to enforce and prosecute.

#### **TECHNICAL ISSUES**