

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: February 11, 2025 *Check all that apply:*
Bill Number: SB 330 Original Correction
 Amendment Substitute

Sponsor: Nicholas Paul **Agency Name and Code Number:** Administrative Office of the District Attorneys 264
Short Title: Furtherance of criminal street gang activity **Person Writing:** Troy Davis
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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:

Senate Bill 330 would alter the basic sentences for gang related crime when the State prove at trial or to judge beyond a reasonable doubt that the crime was knowingly committed for the benefit and the direction of a criminal street gang. For a fourth-degree felony an additional one year is added, three degree is an additional three degree, a second-degree felony, and additional four years, a second-degree felony resulting in death, and additional six year, and for first degree felony an additional eight years.

FISCAL IMPLICATIONS

NA

SIGNIFICANT ISSUES

Senate Bill 330 would be the same as 30-42-4 Racketeering. A street gang is an enterprise under 30-42-2 and street gang benefit is the same as pattern of racketeering. Racketeering is a second-degree felony and conspiracy to commit racketeering is a third-degree felony. A district attorney's office would be better to pursue racketeering charge than what Senate bill 330 for facts would be identical in either case.

First-degree felonies are mandatory eighteen (18) year sentence the bill is not clear if the additional eight years would be mandatory or at the discretion of the court.

TECHNICAL ISSUES

Would essential duplicate New Mexico Racketeering Statute.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL