

LFC Requester: Scott Sanchez

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: 12 February 2025 Check all that apply:
Bill Number: SB 331 Original X Correction ___
Amendment ___ Substitute ___

Sponsor: Sedillo Lopez Agency Name and Code: NM Sentencing Commission -- 354
Short Title: Domestic Violence Programs and Probation Person Writing: Douglas Carver
Phone: 505-239-8362 Email: dhmcarver@unm.edu

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Table with columns: Appropriation (FY25, FY26), Recurring or Nonrecurring, Fund Affected

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Table with columns: Estimated Revenue (FY25, FY26, FY27), Recurring or Nonrecurring, Fund Affected

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

Table with columns: FY25, FY26, FY27, 3 Year Total Cost, Recurring or Nonrecurring, Fund Affected

(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:

SB 331 amends the following statutes to bring the language in these statutes into line with language in the statutes concerning battery against a household member (Section 30-3-15 NMSA 1978) and aggravated battery against a household member (Section 30-3-16).

- 1) Section 30-3-12, assault against a household member;
- 2) Section 30-3-13, aggravated assault against a household member;
- 3) Section 30-3-14, assault against a household member with intent to commit a violent felony;
- 4) Section 30-3-17, multiple convictions of battery or aggravated battery;
- 5) Section 30-3-18, criminal damage to property or deprivation of property of a household member; and
- 6) The penalty section of Section 40-13-6, concerning violation of an order of protection.

The new language for each statute concerns the offender being required to participate in and complete a domestic violence offender treatment or intervention program approved by CYFD; and an extension of the period of probation.

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

SIGNIFICANT ISSUES

To get a sense of the numbers who might be subject to these new requirements and extended probation, the following chart shows the number of charges for the domestic violence crimes in SB 331 since July 1, 2023.

SB331 Domestic Violence Charges since July 1, 2023			
	Guilty	Not Guilty	Total
30-3-12	17	247	264
30-3-13	22	246	268
30-3-14	0	3	3
30-3-17	6	26	32

30-3-18	55	467	522
40-13-6	80	532	612
Total	180	1521	1701

*30-3-17 was *always* charged with either 30-3-15 or 30-3-16

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS