

<b>LFC Requester:</b>	
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**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**  
**[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto: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}*

*Check all that apply:*

**Original**  **Amendment**  
**Correction**  **Substitute**

**Date Prepared:** 2025-02-11  
**Bill No:** SB341

**Sponsor(s)** Jay C. Block  
:

**Agency Name** CYFD 69000  
**and Code**  
**Number:**

**Person Writing** Lance Jagers  
**Analysis:**

**Short** DEATH PENALTY FOR  
**Title:** CERTAIN CRIMES

**Phone:** 5756246071

**Email:** lance.jagers@cyfd.nm.gov

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

**ESTIMATED ADDITIONAL OPERATION BUDGET (dollars in thousands)**

	<b>FY25</b>	<b>FY26</b>	<b>FY27</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>						

Duplicates/Conflicts with/Companion to/Relates to:

Duplicates/Relates to Appropriation in the General Appropriation Act:

**SECTION III: NARRATIVE**

**BILL SUMMARY**

Senate Bill 341 introduces a new section to Chapter 31, Article 20A of the New Mexico Statutes Annotated (NMSA) permitting the imposition of the death penalty for individuals convicted of specific offenses. These offenses include the intentional or willful neglect or abuse resulting in the death of a child, the death of a child caused during the commission of a felony under the Controlled Substances Act, and the death of a law enforcement officer or any acts related to the death of a law enforcement officer.

While mitigating circumstances may be considered, the sentence cannot be reduced below life imprisonment without the possibility of parole. Aggravating factors may include, but are not limited to, prior convictions for child neglect or abuse, previous intervention by the Children, Youth, and Families Department (CYFD), failure to comply with CYFD plans or commitments, the severity of a child's suffering, the age of the child, a history of violent criminal behavior, killing multiple victims, endangerment to public safety, and affiliation with criminal organizations such as gangs or cartels.

All cases involving the death penalty will undergo automatic review by the New Mexico Supreme Court to ensure that proper legal procedures are followed and that the conviction is free from procedural errors.

**FISCAL IMPLICATIONS**

**SIGNIFICANT ISSUES**

This bill introduces the possibility that law enforcement agencies may request access to records related to families with whom the Children, Youth, and Families Department (CYFD) has worked, including the plans developed for those families. In anticipation of such requests, it is imperative that CYFD maintains accurate and comprehensive records to ensure that, should law enforcement seek this information for the purpose of pursuing the death penalty, the department

can provide the necessary documentation in a timely and thorough manner.

**PERFORMANCE IMPLICATIONS**

None.

**ADMINISTRATIVE IMPLICATIONS**

None.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

None.

**TECHNICAL ISSUES**

None.

**OTHER SUBSTANTIVE ISSUES**

None.

**ALTERNATIVES**

None.

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Status quo

**AMENDMENTS**

None.