

LFC Requester:	Scott Sanchez
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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: 02/11/2025 *Check all that apply:*
Bill Number: SB341 Original Correction
 Amendment Substitute

Sponsor: Jay Block **Agency Name and Code Number:** 770-NMCD
Short Title: Death Penalty for Certain Crimes **Person Writing:** Anisa Griego-Quintana
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
0	0	N/A	N/A

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
0	0	0	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	0	Moderate	Moderate	Moderate	Recurring	General

(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 341 would allow the death penalty if a person is convicted of causing the death of a child related to criminal offenses involving abandonment or abuse of a child (Sec. 30-6-1) and the death of a law enforcement officer; provides an appeals process.

If the abuse was “willful and intentional,” SB 341 would allow the death penalty for child abuse or abandonment that results in the death of a child. It would allow the death penalty for a person convicted of causing the death of a child while committing a drug-related felony, and for a conviction of a felony that resulted in the death of a law enforcement officer. States that the court may impose a lesser sentence but not less than life imprisonment without the possibility of parole “where mitigating circumstances exist,” described in the bill.

Convictions resulting in the imposition of the death penalty would be automatically appealed to the Supreme Court.

FISCAL IMPLICATIONS

Fiscal implications for the Corrections Department in reestablishing the death penalty cannot be determined at this time. Since the abolition of the death penalty in 2009, there have been significant changes in legal and operational procedures. Reintroducing the death penalty would likely require updated facilities, specialized staff, and additional resources to manage death row inmates and the execution process, further analysis would be necessary to determine fiscal implications.

SIGNIFICANT ISSUES

None for the Corrections Department.

PERFORMANCE IMPLICATIONS

None for the Corrections Department.

ADMINISTRATIVE IMPLICATIONS

None for the Corrections Department.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None for the Corrections Department.

TECHNICAL ISSUES

None for the Corrections Department.

OTHER SUBSTANTIVE ISSUES

None for the Corrections Department.

ALTERNATIVES

None for the Corrections Department.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

None proposed by the Corrections Department.