

LFC Requester:	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: 02-13-2025 *Check all that apply:*
Bill Number: SB 373 Original Correction
 Amendment Substitute

Sponsor: Sedillo Lopez **Agency Name and Code** AOC 21800
Short Title: Domestic Violence by Military Member **Number:** _____
Person Writing Cynthia Pacheco
Phone: 5054708795 **Email** aocclp@nmcourts.gov

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	Minimal	Minimal	Minimal			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

Senate Bill 373 would require law enforcement, when investigating a report of abuse and neglect, to notify a designated authority at the military installation where the person alleged to have committed the act of abuse and neglect is assigned. The bill would also require the clerk of the local law enforcement agency to file a copy of an order of protection with the same designated authority. This bill mandates a memorandum of understanding between local law enforcement and a designated authority for each military installation in the state.

Senate Bill 373 would require the courts to authorize the remote appearance by digital or telephonic means for all parties if requested.

FISCAL IMPLICATIONS

There will be a minimal administrative cost for statewide update, distribution and documentation of statutory changes. Any additional fiscal impact on the judiciary would be proportional to the enforcement of this law and commenced prosecutions. New laws, amendments to existing laws and new hearings have the potential to increase caseloads in the courts, thus requiring additional resources to handle the increase.

SIGNIFICANT ISSUES

The New Mexico Judiciary has rules dedicated to the use of remote appearances for court hearings. Remote appearances are encouraged when possible, but allows for judicial discretion when remote hearings are not feasible. This bill removes the ability of the judge to restrict remote appearances and enter an order for an in person hearing when the court determines that in person appearances are in the best interest of justice.

The military has a reporting system in place under the Defense Department Family Advocacy Program. This reporting system is driven by the decisions of the survivor of domestic abuse, who can choose to file either a restricted or unrestricted report of domestic abuse. The National Crime Victim Law Institute states, "It is important to understand what level of privacy protection can be afforded to a victim with whom one works and to communicate that BEFORE the victim shares any information." This can help a survivor feel more informed about what could happen if certain information is disclosed. (<https://ywcaspokane.org/barriers-to-reporting-dv/>) This bill, if enacted into law, would remove the ability of the survivor of domestic abuse to choose the action they want to take based on their individual circumstances.

The bill as written will require every local law enforcement in the state to enter into a memorandum of understanding with all military installations in the state. This would include the bases in Albuquerque, Clovis, Alamogordo, and White Sands in addition to each of the National Guard and Reserve armories in the state. This would not include military bases, National Guard/Reserve armories in Texas, Colorado and Arizona. New Mexico residents often commute to and from bases and armories that are close to the border.

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