

LFC Requester:

Scott Sanchez

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

[AgencyAnalysis.nmlegis.gov](https://www.legis.nm.gov/AgencyAnalysis) 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: 2/21/2025 *Check all that apply:*
Bill Number: SB510 Original Correction
 Amendment Substitute

Sponsor: Sen. William Sharer **Agency Name and Code Number:** 770-NMCD
Short Title: Public Safety Changes **Person Writing:** Brittany Roembach
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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	Minimal	Minimal	Minimal	Minimal	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 510, a 125-page bill that incorporates some or all various bills from this session relating to public safety, including HB86, HB134, HB8, SB74 and SB326. The bill also appropriates \$500,000 (GF) to the Administrative Office of the Courts for use in FY2026 for additional costs due to global positioning systems or other costs associated with pretrial release conditions.

HB86: Broadens the definition of "sexual exploitation of children by prostitution" to include all minors up to the age of 18, rather than just those under 16. Additionally, the bill specifies that it is not a valid defense if the victim involved in such a crime is a police officer posing as a minor. Human trafficking would be included as a crime of racketeering and no one convicted of human trafficking could earn meritorious deductions to ameliorate a sentence.

HB134: Extensively amends the Delinquency Act to impose harsher provisions on minors who have committed certain criminal acts and to grant greater discretion to the court in extending probation or commitment. Also repeals the prohibition against public disclosure of information relating to arrest, detention, and delinquency proceedings for a child.

HB8: Extensively rewrites sections of the Criminal Code relating to determining criminal competency, creating in the process a complicated flow chart of the actions that a court may take concerning determination, commitment, and treatment. Also expands the crimes for which a defendant may be criminally committed.

SB74: Broadens the definition of "sexual exploitation of children by prostitution" to include all minors up to the age of 18, rather than just those under 16. Additionally, the bill specifies that it is not a valid defense if the victim involved in such a crime is a police officer posing as a minor. Human trafficking would be included as a crime of racketeering and no one convicted of human trafficking could earn meritorious deductions to ameliorate a sentence.

SB326: Amends the Delinquency Act in the Children's Code by lowering the age for the classification of a serious youthful offender from 15 to 14 and adding to the list of crimes that may lead to being declared a serious youthful offender. Eliminates several key procedures for youthful offenders and gives the court discretion to extend a judgment of probation or commitment until the date that a child reaches age 25. Abolishes the current prohibition against a state agency or political subdivision, including a school district, county, municipality or home-rule municipality from disclosing information concerning the arrest or detention of a child; delinquency proceedings for a child; an adjudication of a child; an adult sentence imposed on a child (except sex offender registration and notice); or social records pertaining to a child.

FISCAL IMPLICATIONS

While most of this bill deals with juveniles, should they be housed within the New Mexico Corrections Department (NMCD), it should be noted that the current average daily rate for an

NMCD inmate is \$155.63. New crimes and greater penalties generally mean more expense for NMCD, if convictions increase.

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 for the Corrections Department.