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FISCAL IMPACT REPORT

SPONSOR:	Dana	DATE TYPED:	01/29/00	HB	153
SHORT TITLE:	Concurrent Jurisdiction			SB	
				ANALYST:	O'Connell

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY00	FY01	FY00	FY01		
	NFI			NFI	NFI

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to

SOURCES OF INFORMATION

LFC files

Administrative Office of the Courts analysis

SUMMARY

Synopsis of Bill

House Bill 153 amends Section 32A-1-8 to provide exclusions from jurisdiction in tribal court adjudication of certain juvenile offenses. Also, the bill creates a new section of the Delinquency Act (Section 32A-2-2 et seq. NMSA 1978) to give concurrent jurisdiction over certain misdemeanor offenses committed by a child who has no more than one prior adjudication for assault; battery; criminal trespass; graffiti; shoplifting; possession of one ounce or less of marijuana; and possession of alcohol by a minor to municipal, magistrate and metropolitan courts. House Bill 153 would provide that these courts would not incarcerate a child adjudicated for any of these offenses without securing approval from the children's court (district court).

Significant Issues

According to the Administrative Office of the Courts (AOC), providing concurrent jurisdiction for municipal, magistrate and metropolitan courts would likely increase those courts' caseloads. Also, judges in those courts are not trained to handle juvenile matters.

BOC/njw