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FISCAL IMPACT REPORT



SPONSOR: Lujan DATE TYPED: 02/06/02 HB 339/aHJC

SHORT TITLE: Amend Antiterrorism Act SB _____

ANALYST: Wilson

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY02	FY03	FY02	FY03		
		See Narrative	\$0.1		

SOURCES OF INFORMATION

Administrative Office of the Courts (AOC)

SUMMARY

Synopsis of HJC Amendment

The House Judiciary Committee Amendment changes the definition of an “act of terrorism” by raising the amount of damage caused to property from \$20,000 to \$100,000.

Synopsis of Original Bill

House Bill 339 amends sections of the Theft of Identity Act, Crimes Against Public Peace and the Antiterrorism Act. The Theft of Identity Act would be amended to include a provision for identity theft in the commission of an act of terrorism. The penalty for this crime would be a second- degree felony.

HB 339 amends current law that makes it a crime to use a telephone to terrify, intimidate, threaten or harass. The word “telephone” is replaced by “electronic or written communication.” The bill also defines electronic and written communication. Moreover, this section includes a clause making it a crime to use electronic or written communication in an act of terrorism. The penalty for this crime would be a third-degree felony for the first offense.

Furthermore, HB 339 amends the Antiterrorism Act. The bill defines “act of terrorism.” The crime of teaching or demonstrating weapon use, application, or creation to incite civil disorder, an act of

terrorism, or the use or threatened use of a weapon of mass destruction is guilty of a third- degree felony. Any person who trains, practices or receives instruction in the above is likewise guilty of a second- degree felony. The penalty for committing an act of terrorism or the use of weapon of mass destruction is a first- degree felony.

Significant Issues

HB 339 is amending current law in order to make it more relevant to modern technology and terrorist warfare.

FISCAL IMPLICATIONS

The AOC reports that the fiscal implications on the judiciary will directly follow the amount of litigation that is generated or, alternatively, avoided by the Act.

ADMINISTRATIVE IMPLICATIONS

There will be a minimal administrative cost for statewide update, distribution, and documentation of statutory changes.

DW/prr