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## FISCAL IMPACT REPORT

SPONSOR Leavell DATE TYPED 2/6/2004 HB \_\_\_\_\_

SHORT TITLE Convenience Store Protection Act SB 464

ANALYST Valenzuela

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY04	FY05	FY04	FY05		
		See Fiscal Implications		Recurring	General Fund/OSF

(Parenthesis ( ) Indicate Expenditure Decreases)

### REVENUE

Estimated Revenue		Subsequent Years Impact	Recurring or Non-Rec	Fund Affected
FY04	FY05			
		Indeterminate	Recurring	General Fund

(Parenthesis ( ) Indicate Revenue Decreases)

Similar to SB294

### SOURCES OF INFORMATION

LFC Files

Response Received From  
Office of the Attorney General

No Response  
Department of Public Safety  
Department of Environment

## SUMMARY

### Synopsis of Bill

Senate Bill 464 enacts the Convenience Store Safety Act with its purpose to protect late-night convenience store customers and employees by implementing statewide standards to minimize violent crimes at such stores. The bill requires the Department of Environment to carry out the provisions of the bill, primarily through inspection of convenience stores. The Environmental Improvement Board is required to adopt rules implementing the Act, provides for civil penalties for violating the Act. Finally, SB464 clarifies the Environmental Improvement Board may promulgate rules for registration and license fees pursuant to the Radiation Protection Act.

The effective date is July 1, 2004.

### Significant Issues

SB 464 is similar to SB 294 with notable exceptions: SB 464 eliminates language providing for private remedies for victims of convenience store violence. This bill does not revise certain sections of the Worker's Compensation Act, as does SB294.

## FISCAL IMPLICATIONS

SB 464 does not contain an appropriation. Enactment of the bill would likely have an impact on NMED. The bill does provide for assessment of a civil penalty of up to \$500/day for citations issued by NMED inspectors. The same provision of the bill outlines the procedure for appealing the citation. The revenue would be deposited in the general fund.

An estimate of revenue is unknown because NMED did not provide any evaluation of the number of convenience stores throughout the state, the number of anticipated inspections or an estimated percentage of inspections to result in a violation.

To gauge the fiscal impact to NMED, one existing program can be used as an example. NMED expends approximately \$700 thousand annually to conduct at least one inspection of food establishments throughout the state. (Albuquerque is not included because the City of Albuquerque handles this function.) Simply as a starting point, enactment of this bill could approximate a similar impact. However, NMED did not provide its own estimate on staff or budget requirements.

**MFV/njw:lg**