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FISCAL IMPACT REPORT

SPONSOR Park DATE TYPED 02/14/05 HB 652

SHORT TITLE Increase Penalty for Homicide by Vehicle SB _____

ANALYST Ford

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
			See Narrative		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)
 Administrative Office of the District Attorneys (AODA)
 Corrections Department (CD)
 Department of Public Safety (DPS)
 Public Defender Department (PDD)
 Public Education Department (PED)

SUMMARY

Synopsis of Bill

House Bill 652 increases the penalty for homicide by vehicle and great bodily harm by vehicle while under the influence of intoxicating liquor or any drug from a third degree felony to a second degree felony. The bill requires persons convicted to be sentenced pursuant to Section 31-18-15 NMSA 1978 which specifies that the penalty for second degree felonies resulting in death of a human being is 15 years imprisonment (compared to 6 years for a similar third degree felony) and the penalty for other second degree felonies is 9 years imprisonment (compared to 3 years for third degree felonies).

FISCAL IMPLICATIONS

House Bill 652 may result in minor cost increases to the courts, AODA and PDD if defendants are less likely to plead guilty and avoid trials in light of stricter penalties. Longer prison terms may result in increased costs to the Corrections Department. However, Corrections Department notes that there are not a large number of convictions for this crime.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Several bills have been introduced to combat New Mexico's DWI problems, some of which increase various penalties for DWI. However, none propose to amend provisions related to homicide or great bodily injury by vehicle.

EF/lg