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FISCAL IMPACT REPORT

SPONSOR Hall DATE TYPED 2/23/05 HB 840

SHORT TITLE Prohibit Sale of Cockfighting Paraphernalia SB _____

ANALYST Wilson

APPROPRIATION

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

Relates to SB 65, SB 66 & HB 878

SOURCES OF INFORMATION

LFC Files

Responses Received From

- Administrative Office of the Courts (AOC)
- Administrative Office of the District Attorneys (AODA)
- Attorney General's Office (AGO)
- Corrections Department (CD)

SUMMARY

Synopsis of Bill

House Bill 840 makes the sale or use of cockfighting paraphernalia a crime a fourth degree felony penalty. Paraphernalia includes cockfighting gaffs and cockfighting slashers, which are attached to the legs of fighting roosters.

Significant Issues

The AGO states possession, delivery or manufacture of drug paraphernalia is a crime according to Section 30-31-25.1. The penalty for possession of drug paraphernalia is a misdemeanor. Possession of drug paraphernalia is related to the illegal use of drugs in violation of the Controlled Substances Act. However, the use or sale of cockfighting paraphernalia is related to cockfighting which has not been deemed illegal in the state of New Mexico.

Many of the opponents of cock fighting consider the use of gaffs and slashers to be very cruel. It is possible to ban the paraphernalia in this bill and still hold cock fights.

FISCAL IMPLICATIONS

The AOC notes there will be a minimal administrative cost for statewide update, distribution, and documentation of statutory changes. This change has the potential to increase the workload of courts, thus requiring additional resources to handle the increase.

ADMINISTRATIVE IMPLICATIONS

The CD believes in both the short term and the long term, this bill will somewhat increase the administrative prison staff and probation staff because of the increasing prison population and probation caseloads. The CD will be able to absorb the additional burden due to the fact that the numbers of persons convicted would be minimal.

RELATIONSHIP

Relates to SB 65, SB 66 & HB 878, Prohibit Cock Fighting

DW/lg