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FISCAL IMPACT REPORT

ORIGINAL DATE 2/15/07
 LAST UPDATED 3/6/07 HB 1126/aHJC

SPONSOR Maestas

SHORT TITLE Deferred Sentence Option Contribution Program SB _____

ANALYST C. Sanchez

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)
 Bernalillo County Metropolitan Court

SUMMARY

Synopsis of HJC Amendment

The House Judiciary Committee amendment specifies that contributions be made to a local domestic violence prevention or treatment program.

Synopsis of Original Bill

Currently Section 31-20-6 allows judges to require that defendants receiving a deferred or suspended sentence make a charitable contribution between \$10.00 and \$100.00 to a local crime stopper program or to a local drug abuse resistance education program. The bill adds a third choice: a domestic violence prevention or treatment program.

FISCAL IMPLICATIONS

There will be a minimal administrative cost to the judiciary for statewide update, distribution and documentation of statutory changes. The effect of this bill on revenues for local programs is unknown.

SIGNIFICANT ISSUES

In some rural areas around the state there is neither a local crime stoppers program nor a local drug abuse resistance education program. Adding this third alternative may make it possible for more judges to require charitable contributions of defendants receiving a deferred or suspended sentence.

The present wording of the bill does not specify that the domestic violence prevention or treatment program must be “local.” If this is the intent it would be more clear to add the word “local” before “domestic violence prevention or treatment program.”

PERFORMANCE IMPLICATIONS

The courts are participating in performance-based budgeting. It is unknown if enactment of this bill would impact performance measures as they relate to judicial budgeting.

ADMINISTRATIVE IMPLICATIONS

The courts do not currently collect charitable contributions but require defendants to bring a receipt to the court to prove compliance with this condition. No additional administrative burden on the courts is anticipated.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo

CS/nt