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FISCAL IMPACT REPORT

SPONSOR Soules **ORIGINAL DATE** 02/10/17 **LAST UPDATED** 02/24/17 **HB** _____
SHORT TITLE Study Statutory Gun Violence Protections **SM** 51/aSRC
ANALYST Sánchez

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY17	FY18	FY19	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		≥10.0		≥10.0	Nonrecurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to the General Appropriation Act

SOURCES OF INFORMATION

LFC Files

Responses Received From

New Mexico Sentencing Commission (NMSC)
Office of the Attorney General (OAG)
Public Education Department (PED)

SUMMARY

Synopsis of SRC Amendment

Senate Rules Committee Amendment to Senate Memorial 51 removes the clause that refers to a task force to study how firearms are purchased and transferred in the state.

Synopsis of Bill

Senate Memorial 51 requests the appropriate interim legislative committee study changes to the statutes to provide greater protection against gun violence against children and young adults, publish a report with its findings and recommendation at the end of the 2017 interim, and send a copy of the study to the public education secretary and the co-chairs of the legislative council.

FISCAL IMPLICATIONS

The Legislative Council Service may have to use existing internal resources to complete the study, which would require reprioritizing projects. Another option is to contract with an entity such as the New Mexico Sentencing Commission, which serves as criminal and juvenile justice policy resource.

SIGNIFICANT ISSUES

The New Mexico Public Education Department (PED), through 6.12.6 New Mexico Administrative Code (NMAC), School District Wellness Policy, requires local school boards, school districts and charter schools to develop and implement a wellness policy that includes a requirement for safe school plans that focus on supporting safe, secure, and healthy environments. Each public school and state-chartered charter school in New Mexico is required to submit a safe schools plan to the PED for review and approval. Within this plan are requirements for written protocols for acts of violence including recommend protective actions and emergency operation plans inclusive of written protocols for a campus lockdown, an active shooter on campus, and staff training including appropriate responses to law enforcement and first responders among others.

TECHNICAL ISSUES

PED suggests changing “school-age” on Page 3, Line 7 to “school-aged”.

OTHER SUBSTANTIVE ISSUES

PED provides the following:

Major Findings from the FBI’s *A Study of Active Shooter Incidents in the US Between 2000 and 2013* contains a list of the 160 incidents used in the study, including those that occurred at Virginia Tech, Sandy Hook Elementary School, the U.S. Holocaust Memorial Museum, Fort Hood, the Aurora (CO) Cinemark Century 16 movie theater, the Sikh Temple of Wisconsin, and the Washington Navy Yard, as well as numerous other tragic shootings. Below are some of the study’s findings:

- Active shooter incidents are becoming more frequent—the first seven years of the study show an average of 6.4 incidents annually, while the last seven years show 16.4 incidents annually.
- These incidents resulted in a total of 1,043 casualties (486 killed, 557 wounded—excluding the shooters).
- All but six of the 160 incidents involved male shooters (and only two involved more than one shooter).
- More than half of the incidents—90 shootings—ended by the shooter’s initiative (i.e., suicide, fleeing), while 21 incidents ended after unarmed citizens successfully restrained the shooter.
- In 21 of the 45 incidents where law enforcement had to engage the shooter to end the threat, nine officers were killed and 28 were wounded.
- The largest percentage of incidents—45.6 percent—took place in a commercial environment (73 incidents), followed by 24.3 percent that took

place in an educational environment (39 incidents). The remaining incidents occurred at the other location types specified in the study—open spaces, military and other government properties, residential properties, houses of worship, and health care facilities.

Major Findings of Everytown for Gun Safety’s *Analysis of Recent Mass Shootings* provide a comprehensive analysis of every mass shooting between January 2009 and July 2015 that was identifiable through FBI data and media reports. This report describes the 133 mass shootings – almost two per month that occurred in 39 states in the nearly seven-year period. Each description includes the location of the shooting, number of people killed and/or injured, and information on the shooter, gun(s), ammunition, and gun purchase, where available.

The Center for Disease Control and Prevention (CDC) statistics indicate (1) suicide is the second leading cause of death for 10-34 year olds; (2) homicide was the third leading cause of death for 15-34 year olds in the United States in 2014, the most recent year for which data has been released by the CDC.

New Mexico Youth Risk and Resiliency (YRRS) data, self-reported by 9-12 graders in public and state charter schools in the state, support the following statistics: (1) youth risk reported for “carrying a weapons on school property in the last 30 days” from 2007 to 2015 decreased by more than 50%, from 9.3% to 4.6%; and (2) 9.4% of New Mexico youth (compared with 8.6% nationally) attempted suicide within the past 12 months.

New Mexico Department of Health data supports the following statistics on the increasing rates of death by suicide over the past decade for New Mexico: (1) suicide rates have increased by 32% from 2005-2015; (2) the rate has consistently been more than 50% higher than the U.S. rate of suicide; and (3) 53% of those suicide deaths from 2011-2015 resulted from use of a firearm.