

LFC Requester:

**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**

**[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto:billanalysis@dfa.nm.gov)**

*(Analysis must be uploaded as a PDF)*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

**Date Prepared:** 2/08/2025 *Check all that apply:*  
**Bill Number:** HB 16 Original  Correction   
 Amendment  Substitute

**Sponsor:** Charlottee Little **Agency Name and Code Number:** Administrative Office of the District Attorneys 264  
**Short Title:** Fentanyl Trafficking sentences **Person Writing:** Troy Davis  
**Title:** \_\_\_\_\_ **Phone:** 505-3858461 **Email:** davistr@msn.com

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis ( ) indicate revenue decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>						

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:  
Duplicates/Relates to Appropriation in the General Appropriation Act

### **SECTION III: NARRATIVE**

#### **BILL SUMMARY**

Synopsis:

House Bill 16 proposes to create a new section of the Criminal Sentencing Act to allow a sentencing enhancement above the basic sentence for trafficking fentanyl if certain conditions are met. The enhancement can be up to three years if the offender possesses between 100 and 500 fentanyl pills or the equivalent powder amount, or up to five years if the person possesses more than 500 fentanyl pills or the equivalent powder amount, or has found to have organized, coordinated or directed fentanyl trafficking.

#### **FISCAL IMPLICATIONS**

NA

#### **SIGNIFICANT ISSUES**

NA

#### **PERFORMANCE IMPLICATIONS**

#### **ADMINISTRATIVE IMPLICATIONS**

#### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

House bill 274 and Senate bill 95 create minimum incarceration penalties for trafficking fentanyl. House bill 16 gives the court more jurisdiction to impose a sentence.

#### **ALTERNATIVES**

#### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

#### **AMENDMENTS**