

LFC Requestor: Self Assigned

**2025 LEGISLATIVE SESSION  
AGENCY BILL ANALYSIS**

**Section I: General**

**Chamber:** House **Category:** Bill  
**Number:** HB0031 **Type:** Introduced

**Date (of THIS analysis):** 1/22/25  
**Sponsor(s):** Joy Garratt  
**Short Title:** FOURTH DEGREE FELONY FOR SHOOTING THREAT

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**Section II: Fiscal Impact**

**APPROPRIATION (dollars in thousands)**

Appropriation Contained		Recurring or Nonrecurring	Fund Affected
FY 25	FY 26		
\$0	\$0	None	None

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY 25	FY 26	FY 27		
\$0	\$0	None	None	\$0

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

	FY 25	FY 26	FY 27	3 Year Total Cost	Recurring or Non-recurring	Fund Affected
<b>Total</b>	\$0	\$0	\$0	\$0	None	None

### Section III: Relationship to other legislation

Duplicates: None

Conflicts with: None

Companion to: None

Relates to: None

Duplicates/Relates to an Appropriation in the General Appropriation Act: None

### Section IV: Narrative

#### 1. BILL SUMMARY

##### a) Synopsis

House Bill 31 (HB31) would amend Section 30-20-16 NMSA 1978 to make it a fourth-degree felony to make a shooting threat to a person with a firearm that:

- Places a person or group of people in fear of bodily harm
- Prevents or interrupts the occupation or use of a public building
- Causes a response (due to the threat) by law enforcement or other agency that deals with emergencies
- The court may also order a person convicted for making a bomb scare or shooting threat to reimburse the victim for economic harm caused by the offense that includes wages, salaries, or other compensation lost due to the bomb scare or shooting threat for employees for time they are unable to work due to these threats, and overhead costs for time that a business is shut down.

Is this an amendment or substitution?  Yes  No

Is there an emergency clause?  Yes  No

##### b) Significant Issues

#### **Firearm deaths in New Mexico**

New Mexico has had one of the highest age adjusted firearm death rates in the U.S. over the past two decades. Over the past decade (2011-2022):

- The age-adjusted firearm death rate in New Mexico increased by 84% (from 14.8 per 100,000 population in 2011 to 27.3 per 100,000 population in 2022).

- New Mexico’s rank among U.S. states increased from 10th highest to 3rd highest in the U.S.
- The gap in the age adjusted firearm death rate between New Mexico and the U.S. has also widened between 2011 and 2022. More specifically, in 2011, New Mexico’s age-adjusted firearm death rate was 45% higher than the U.S. In 2022, New Mexico’s age-adjusted firearm death rate was 90% higher than the U.S.

More recent trends in firearm deaths in New Mexico (2019-2023) indicate that:

- The number of firearm deaths has increased by 7% from 472 (in 2019) to 505 (in 2023). However, the number of firearm deaths also peaked at 562 firearm deaths (in 2021), which is a 19% increase between 2019 and 2021.
- Suicide with a firearm has remained relatively stable between 2019 (285 deaths) and 2023 (273 deaths).
- However, homicide with a firearm increased by 29% from 158 (in 2019) to 204 (in 2023). The number of homicides with a firearm also peaked at 224 firearm deaths (in 2021), which is a 42% increase between 2019 and 2021.
- In 2022, there were a total of 550 firearm-related deaths in New Mexico that included 214 homicides, which represents 39% of all firearm deaths in New Mexico (Unpublished data, [NM BVRHS](#)).
- In 2022, 77.0% (or 214 out of 278) of homicides involved a firearm (Unpublished data, [NM BVRHS](#)).
- Over the past several years, firearms have become the leading cause of death for children and adolescents in America ([Gun Violence: The Impact on Public Health \(nihcm.org\)](#)).
- The CDC acknowledges all forms of violence, including gun violence, as a public health problem and provides guidance on violence prevention broadly. The CDC Division of Violence Prevention website concludes that the significant consequences of experiencing violence “jeopardize the health and well-being of families and communities and cost society hundreds of billions of dollars in medical care and lost productivity. Decades of research have proven that violence is preventable” ([CDC Violence Prevention - Strategic Vision](#)).

## 2. PERFORMANCE IMPLICATIONS

- Does this bill impact the current delivery of NMDOH services or operations?
  - Yes  No
- Is this proposal related to the NMDOH Strategic Plan?  Yes  No
  - Goal 1:** We expand equitable access to services for all New Mexicans
  - Goal 2:** We ensure safety in New Mexico healthcare environments
  - Goal 3:** We improve health status for all New Mexicans

**Goal 4:** We support each other by promoting an environment of mutual respect, trust, open communication, and needed resources for staff to serve New Mexicans and to grow and reach their professional goals

### 3. FISCAL IMPLICATIONS

- If there is an appropriation, is it included in the Executive Budget Request?  
 Yes  No  N/A
- If there is an appropriation, is it included in the LFC Budget Request?  
 Yes  No  N/A
- Does this bill have a fiscal impact on NMDOH?  Yes  No

### 4. ADMINISTRATIVE IMPLICATIONS

Will this bill have an administrative impact on NMDOH?  Yes  No

### 5. DUPLICATION, CONFLICT, COMPANIONSHIP OR RELATIONSHIP

None

### 6. TECHNICAL ISSUES

Are there technical issues with the bill?  Yes  No

### 7. LEGAL/REGULATORY ISSUES (OTHER SUBSTANTIVE ISSUES)

- Will administrative rules need to be updated or new rules written?  Yes  No
- Have there been changes in federal/state/local laws and regulations that make this legislation necessary (or unnecessary)?  Yes  No
- Does this bill conflict with federal grant requirements or associated regulations?  
 Yes  No
- Are there any legal problems or conflicts with existing laws, regulations, policies, or programs?  Yes  No

### 8. DISPARITIES ISSUES

#### Firearm Deaths for Children and by Race/Ethnicity in New Mexico

- In 2020, firearms surpassed motor vehicle accidents as the leading cause of death for children in the U.S. (under 19 years old). In 2021, firearms has remained the leading cause of death for children ([Gun Violence: The Impact on Society \(nihcm.org\)](https://nihcm.org)).
- Between 2018 and 2022, there were 117 firearm deaths among children aged 0 – 17 in New Mexico, which included 50 suicide deaths and 56 homicide deaths (Unpublished data, [NM BVRHS](#)).
- Firearm deaths for American Indian and Alaska Natives (AI/AN) residents in New Mexico increased by 114% between 2019 (27 deaths) and 2023 (58 deaths).
- Firearm deaths for Hispanics increased by almost 40% between 2019 (206 deaths) and the peak in 2021 (288 deaths)
- Firearm deaths for non-Hispanic Whites decreased by 11% between 2019 (213 deaths) and 2023 (189 deaths)

### 9. HEALTH IMPACT(S)

#### Firearm Deaths in New Mexico

- The total annual cost of firearm deaths in New Mexico in 2022 is \$6.22 billion so these deaths cost each New Mexican resident \$2,943 annually ([CDC WISQARS](#)).
- In 2020, firearms surpassed motor vehicle accidents as the leading cause of death for children in the U.S. (under 19 years old). In 2021, firearms has remained the leading cause of death for children ([Gun Violence: The Impact on Society \(nihcm.org\)](#)).
- In 2022, New Mexico had the third highest age-adjusted firearm death rate among all states in the United States (26.5 deaths per 100,000 residents) (Unpublished data, [BVRHS](#)), which was 84% higher than the United States rate (14.4 deaths per 100,000 residents, age adjusted) ([Provisional Mortality Statistics, 2018 through Last Week Request Form \(cdc.gov\)](#)).

## **10. ALTERNATIVES**

None

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

If House Bill 31 (HB31) does not pass, then: (a) it will not be a fourth degree felony to make a shooting threat to a person with a firearm; and (b) victims of this crime will not be able to be reimbursed for economic harm that results from a shooting threat.

## **12. AMENDMENTS**

None