

LFC Requester:	Rachel Mercer-Garcia
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AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

AgencyAnalysis.nmlegis.gov and email to 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: 01/20/2025 *Check all that apply:*
Bill Number: HB39 Original Correction
 Amendment Substitute

Sponsor: Kathleen Cates **Agency Name and Code Number:** 770-NMCD
Short Title: Felony Firearm Possession and Prior Juvenile Delinquency **Person Writing:** Anisa Griego-Quintana
Phone: 505-479-2296 **Email:** anisa.griego-quinta@cd.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
0	0	N/A	N/A

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
0	0	0	N/A	N/A

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	0	Moderate	Moderate	Moderate	Recurrent	General

(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: The bill would bring an adult's record of juvenile delinquency and use of a firearm into consideration for adult felony firearm possession and firearm background checks. Requires that records of a juvenile disposition involving use of a firearm for a delinquent act that would be a felony if committed by an adult are to be made available to federal authorities for purposes of conducting federal instant background checks and to state and local law enforcement for purposes of determining whether a person may receive, transport, or possess a firearm or destructive device. The bill would also make it a third-degree felony for firearm possession by an adult subject to a juvenile disposition for a delinquent act involving the use of a firearm that would be a felony if committed by an adult.

FISCAL IMPLICATIONS

The proposed amendments would have several positive effects on public safety. It would enhance the screening for firearm possession, which can reduce the risk of gun violence and criminal activity by those with a demonstrated history of using firearms in delinquent acts. By requiring federal and local coordination, the broader access could contribute to early intervention and reduce the likelihood of future crimes involving firearms.

If passed the bill may lead to an increase in the number of individuals subject to stricter supervision due to their past juvenile offenses. NMCD might see a need for more resources and staff to manage the increased caseload, including additional probation and parole officers and specialized training.

SIGNIFICANT ISSUES

None for the Corrections Department.

PERFORMANCE IMPLICATIONS

None for the Corrections Department.

ADMINISTRATIVE IMPLICATIONS

None for the Corrections Department.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None for the Corrections Department.

TECHNICAL ISSUES

None for the Corrections Department.

OTHER SUBSTANTIVE ISSUES

None for the Corrections Department.

ALTERNATIVES

None for the Corrections Department.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

None proposed by the Corrections Department.