

LFC Requester:	Lance Chilton
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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: 02/07/2025 *Check all that apply:*
Bill Number: HB86 Original Correction
 Amendment Substitute

Sponsor: Elizabeth Thomson, Marian Matthews, Nicole Chavez, Antoinette Sedillo Lopez, and Mark Duncan

Agency Name and Code Number: New Mexico Public Schools Insurance Authority 34200

Person Writing: Dominique Williams

Short Title: HUMAN TRAFFICKING CHANGES

Email: Dominique.williams@psia.nm.gov
Phone: 505-469-5541

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
Total						No fiscal impact

(Parenthesis () Indicate Expenditure Decreases)

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

HB86 strengthens protections for trafficking victims, expand legal definitions, eliminate legal loopholes for traffickers, and ensure harsher penalties for offenders.

The bill eliminates the statute of limitations for human trafficking offenses, allowing prosecution at any time. The legal age for sexual exploitation of children by prostitution is increased from 16 to 18 years old. Any person hiring, profiting from, or permitting a minor (under 18) to engage in prostitution is guilty of a felony. Human trafficking is added to the definition of "racketeering", allowing authorities to use anti-racketeering laws to prosecute traffickers. Expands the definition of human trafficking to include, debt-based coercion, where traffickers use financial obligations to control victims, any form of harm (physical, psychological, financial, or reputational) used to force someone into labor or sex work, clarifies that victims cannot be charged with crimes like prostitution. Defendants cannot claim the victim consented (especially if they are a minor), they did not know the victim's age, the intended victim was actually a law enforcement officer posing as a minor. Victims of human trafficking and sexual exploitation are added to the Victims of Crime Act, granting them additional legal protections and support. Human trafficking offenders will be prohibited from earning meritorious deductions on their prison sentences, meaning they must serve their full term without early release.

FISCAL IMPLICATIONS

NMPSIA does not foresee any financial implications.

SIGNIFICANT ISSUES

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS