

LFC Requester:

Scott Sanchez

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

[AgencyAnalysis.nmlegis.gov](https://www.nmlegis.gov/AgencyAnalysis) 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: 21 JAN 2025

Check all that apply:

Bill Number: HB 86Original Correction Amendment Substitute Sponsor: Elizabeth ThomsonShort Title: HUMAN TRAFFICKING AND SEXUAL
EXPLOITATION OF CHILDREN

Agency Name

and Code

790 – Department of Public Safety

Number:

Person Writing

Dale R. WagonerPhone: 505-629-2803Email: Dale.wagoner@dps.nm.gov**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

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

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

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

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act: 2024 HB116; related to 2024 SB6906; 2023 HB445, SB82

SECTION III: NARRATIVE

BILL SUMMARY

Broadens the definition of "sexual exploitation of children by prostitution" to include all minors up to the age of 18, rather than just those under 16. Increases the penalty for human trafficking. Additionally, the bill specifies that it is not a valid defense if the victim involved in such a crime is a police officer posing as a minor. Human trafficking would be included as a crime of racketeering and no one convicted of human trafficking could earn meritorious deductions to ameliorate a sentence.

FISCAL IMPLICATIONS

None.

SIGNIFICANT ISSUES

None.

PERFORMANCE IMPLICATIONS

This bill would provide much needed updates to the statutes related to Human Trafficking in New Mexico. As it currently stands the penalties for trafficking a controlled substance are greater than for trafficking human beings. It is critical this loophole in the law be closed. DPS strongly supports this bill and believes it will give law enforcement additional tools to deal with a crime that has become increasingly prevalent in our communities. Human Trafficking often targets the most vulnerable populations of our state, in particular our youth. It is critical we have additional resources to help protect them.

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo Will Remain.

AMENDMENTS

None.