

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: 01/27/2025 *Check all that apply:*
Bill Number: HB134 Original Correction
 Amendment Substitute

Sponsor: Andrea Reeb **Agency Name and Code Number:** 770-NMCD
Short Title: Delinquency Act Changes **Person Writing:** Anisa Griego-Quintana
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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	0	0	N/A	Recurring	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: House Bill 134 would extensively amend the Delinquency Act to impose greater provisions on minors who have committed certain criminal acts and to grant greater discretion to the court in extending probation or commitment. It also repeals the prohibition against public disclosure of information relating to arrest, detention, and delinquency proceedings for a juvenile.

The changes to the Delinquency Act at it pertains to the Corrections Department would be as follows:

The bill requires that a juvenile who turns 18 while in a juvenile detention facility be transferred to a county jail. (Currently, turning 18 is not to be used as the sole basis for transfer to a county jail.) Additionally, a juvenile found to be delinquent may be committed or transferred to a penal institution used for the execution of sentences of persons convicted of crimes once the juvenile reaches age 18.

A juvenile 14 years or older who is adjudicated as a youthful offender may waive their right to an amenability hearing and instead be sentenced as an adult.

Predisposition reports are to be provided to the parties and the court five days before actual disposition or sentencing “if directed by the court” instead of automatically as currently provided.

The bill grants discretion to the court to consider a juvenile’s unique circumstances and history when imposing probation or commitment. The court may extend probation or commitment for any period up to when the individual turns 25 years old. This discretion replaces the more specific limited types of commitment under current statute.

FISCAL IMPLICATIONS

None for the Corrections Department

SIGNIFICANT ISSUES

None for the Corrections Department.

PERFORMANCE IMPLICATIONS

None for the Corrections Department.

ADMINISTRATIVE IMPLICATIONS

The proposed changes aim to give courts greater flexibility, provide more individualized

attention to juveniles and ensure that serious offenders are held accountable. Implemented effectively, the provisions could help reduce recidivism, improve rehabilitation, and better address the unique needs of juvenile offenders.

Additional training would be needed to handle a population that straddles the line between juvenile and adult offenders. The department would need to adapt its policies, facilities, and resources to ensure that both the safety of these individuals and the safety of the general population are maintained, all while providing the necessary rehabilitation and support services.

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.