

LFC Requester:	Scott Sanchez
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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: January 30, 2025 *Check all that apply:*
Bill Number: HB 162 Original Correction
 Amendment Substitute

	Agency Name and Code
Sponsor: <u>Mason/Pettigrew/Chatfield/ Sanchez/Block</u>	Number: <u>NM Sentencing Commission – 354</u>
Short Title: <u>Repeal Firearm Sale Waiting Period</u>	Person Writing: <u>Keri Thiel</u>
	Phone: <u>505-259-8763</u> Email: <u>kthiel@unm.edu</u>

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						

(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:

HB 162 repeals Section 30-7-7.3 NMSA 1978, the seven-day waiting period for the sale of a firearm.

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

SIGNIFICANT ISSUES

New Mexico's firearm death rate has increased from the seventh highest nationwide in 1999 to third highest nationwide in 2021, including an 87% increase in the age-adjusted firearm death rate between 2010 and 2021. (See "Comprehensive Report on Gunshot Victims Presenting at Hospitals in New Mexico" published by the New Mexico Department of Health, September 29, 2023, at <https://www.nmhealth.org/publication/view/report/8463/>.)

According to the Giffords Law Center, fourteen states (including New Mexico) plus the District of Columbia have a waiting period for gun purchases. Eleven of these jurisdictions have a waiting period for all gun sales (California, Colorado, District of Columbia, Florida, Hawaii, Illinois, Maine, New Mexico, Rhode Island, Vermont, and Washington). Three states – Maryland, Minnesota, and New Jersey – impose waiting periods only for certain types of weapons. For details on other states' laws, see the information at: <https://giffords.org/lawcenter/gun-laws/policy-areas/gun-sales/waiting-periods/>.

Research has shown that waiting periods for firearms purchases can reduce gun mortality. See, for example, Luca, et al. "Handgun waiting periods reduce gun deaths" Proceedings of the National Academy of Sciences (2017) (available at: <https://www.pnas.org/doi/10.1073/pnas.1619896114>); and Oliphant, "Effects of Wisconsin's handgun waiting period repeal on suicide rates", Injury Prevention (2022) (available at: <https://injuryprevention.bmj.com/content/injuryprev/28/6/580.full.pdf>).

The American Academy of Pediatrics also supports the implementation of waiting periods for gun purchases. See <https://www.aap.org/en/advocacy/state-advocacy/waiting-periods-for-firearms-purchases>.

New Mexico's firearm sale waiting period law went into effect May 15, 2024, less than one year ago. As such, we do not yet have meaningful data to demonstrate whether the law has been effective at reducing firearm mortality in the state.

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