

LFC Requester: \_\_\_\_\_

**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**

**[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto: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 29, 2025 *Check all that apply:*  
**Bill Number:** HB 165 Original  Correction   
 Amendment  Substitute

**Sponsor:** Nicole Chavez & Andrea Reeb **Agency Name and Code Number:** Administrative Office of the District Attorneys 264  
**Short Title:** Presumption defendant is dangerous for release **Person Writing:** Troy Davis  
**Phone:** 5053858461 **Email:** Davistr@msn.com

**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
<b>Total</b>						

(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 165 creates a presumption against pretrial release for individuals charged with certain dangerous felony offenses.

#### **FISCAL IMPLICATIONS**

None

#### **SIGNIFICANT ISSUES**

House bill 165 presumption may conflict with Article 2, Section 13 of the New Mexico Constitution that the State is required to prove by “clear and convincing evidence” that the defendant poses a further threat to others or the community.

#### **TECHNICAL ISSUES**