LFC Requester:	Scott Sanchez

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 unloaded as a PDF)

		(Analysis mi	ust be uplo	oaded as a PL)F)			
	N I: GENERAL IN analysis is on an original			r a correction of a	nrevious hil	n		
(Indicate ij				· ·	-	ij		
	Date Prepared : 12 February 202							
	Bill Number:	HB 318		_ Original X Correction				
				Amendmen	t Sub	stitute		
Snonsor	Lord		Agency and Coo Number	de NI	M Sentend	cing Co	mmission 354	
Short Lord Penalty for Resisting or				Writing	Douglas Carver			
Title:	Evading Officers	ing or		0			rver@unm.edu	
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SECTIO	N II: FISCAL IMI	PACT						
	A	PPROPRIAT	ΓΙΟΝ (do	llars in thous	sands)			
	Appropr	riation		Recu	rring		Fund	
FY25		FY26		or Nonre			Affected	
(Parenthesi	is () indicate expenditure	decreases)						
		REVENU	E (dollars	in thousand	s)			
Estimated Revenue			2		Recurring		Fund	
FY25		FY26		FY27	or Nonrecurring		Affected	

(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 318 amends Section 30-22-1 NMSA 1978, regarding resisting, evading, or obstructing and officer, by increasing the penalty for a violation of the statute from a misdemeanor to a fourth degree felony.

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

There were 2,083 cases (including pending cases) filed on or after July 1, 2023 with a lead offense of Section 30-22-1. There were 7 people incarcerated with a lead offense of Section 30-22-1 that entered NMCD on or after July 1, 2022.

It is difficult to determine what the effect of passing HB 318 would be on the state's prison population, as the bill changes the penalty from a misdemeanor to a felony. The average per day cost to incarcerate someone in the state's prison system is \$155.63/day; this average includes private and public facilities.

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