

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