

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: 02/10/2025 *Check all that apply:*
Bill Number: HB318 Original Correction
 Amendment Substitute

Sponsor: John Block & Stefani Lord **Agency Name and Code Number:** 770-NMCD
Short Title: Penalty for Resisting or Evading an Officer **Person Writing:** Anisa Griego-Quintana
Phone: 505-479-2296 **Email:** anisa.griego-quinta@cd.nm.gov

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	0	N/A	N/A

(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 318 proposes to amend the Criminal Code to increase the penalty for resisting, evading or obstructing an officer of this state from a misdemeanor to a fourth-degree felony.

Provisions of the act apply to:

- any officer or duly authorized person serving or attempting to serve or execute process or any rule or order of the courts of this state or any other judicial writ or process;
- intentionally fleeing, attempting to evade or evading an officer of this state when the person has knowledge that the officer is attempting to apprehend or arrest the person;
- willfully refusing to bring a vehicle to a stop when given a visual or audible signal to stop by a uniformed officer in an appropriately marked vehicle;
- resisting or abusing any judge, magistrate or peace officer in the lawful discharge of duties.

FISCAL IMPLICATIONS

While it is likely that department would see only a moderate rise in the number of offenders entering the correctional system, given the relatively shorty sentences associated with fourth-degree felonies and the possibility for alternatives to prison, the department's resources would likely be sufficient to handle the increase without causing significant fiscal strain.

SIGNIFICANT ISSUES

None for the Corrections Department.

PERFORMANCE IMPLICATIONS

None for the Corrections Department.

ADMINISTRATIVE IMPLICATIONS

None for the Corrections Department.

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.