

# 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:	February 10, 2025	Check all that apply:			
<b>Bill Number:</b>	HB 321	Original	Х	Correction	
		Amendment		Substitute	

Sponsor:	Stefani Lord/John Block	and Code	Administrative Office of the District Attorneys 264
Short	Careless driving penalties	Person Writing	Donald Gallegos
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#### **SECTION II: FISCAL IMPACT**

### **APPROPRIATION** (dollars in thousands)

Appropriation		Recurring	Fund	
FY25	FY26	or Nonrecurring	Affected	

(Parenthesis () indicate expenditure decreases)

#### **REVENUE** (dollars in thousands)

	Estimated Revenue		Recurring	Fund Affected
FY25	FY26	FY27	or Nonrecurring	

(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 321 amends Section 66-8-114, NMSA 1978 as follows:

- Penalizes careless driving as a traffic code misdemeanor. Page 2, lines 1-3.
- If a person commits careless driving and it results in death or great bodily harm of another, it is a criminal code misdemeanor.
- Adds the definition of "great bodily harm."

### FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented. None

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

### SIGNIFICANT ISSUES

A traffic code misdemeanor is punishable by up to 90 days in jail and a \$300 fine.

A criminal code misdemeanor is punishable by up to 364 days in jail and a one thousand dollars fine.

There have been attempts in the past to make death or great bodily harm by careless driving a felony offense. Presently, it is punishable as a traffic code misdemeanor. Passage of this bill will make it a criminal code misdemeanor as is described above.

### PERFORMANCE IMPLICATIONS

### ADMINISTRATIVE IMPLICATIONS

### CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Section 66-8-7, NMSA 1978; Section 31-19-1. See also Section 30-1-12A, definition of "great bodily harm."

#### **TECHNICAL ISSUES**

## **OTHER SUBSTANTIVE ISSUES**

#### ALTERNATIVES

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL** Status Quo.

### AMENDMENTS