

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 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: HB340 Original Correction
 Amendment Substitute

Sponsor: Yanira Gurrola, Charlotte Little,
Eleanor Chavez, Joy Garratt,
Patricia Roybal Caballero **Agency Name
and Code
Number:** 770-NMCD
Short Title: DNA of Offenders in CODIS **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 340 would allow the state to automatically enter and retain DNA from people who died after being arrested on felony charges and create some new legal safeguards related to DNA entry.

HB 340 would presumably allow a better database of DNA for investigators looking into cold cases or attempting to make connections between various crimes: The bill establishes that DNA will be automatically entered into the CODIS system (the DNA database) without court approval if the person was in prison at the time of death or had been released before July 1, 1997 — when “touch DNA” emerged as a tool for crime labs.

The bill also strengthens certain safeguards:

If a person was not in prison at the time of death their DNA is not entered automatically. Instead, the district attorney must file a motion in court to enter that data into CODIS, and a judge must approve the request.

FISCAL IMPLICATIONS

The proposed changes would not place a significant fiscal burden on the Corrections Department, but could have operational impacts related to DNA collection.

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.