



Duplicates/Conflicts with/Companion to/Relates to:  
Duplicates/Relates to Appropriation in the General Appropriation Act

### **SECTION III: NARRATIVE**

#### **BILL SUMMARY**

Synopsis:

House bill 381 creates a presumption against pretrial release for individuals charged with certain dangerous felony offenses.

#### **FISCAL IMPLICATIONS**

None

#### **SIGNIFICANT ISSUES**

House bill 361 presumption may conflict with Article 2, Section 13 of the New Mexico Constitution that the State is required to prove by “clear and convincing evidence” that the defendant poses a further threat to others or the community. A Constitutional amendment would probably be need to change the burden.

#### **TECHNICAL ISSUES**