

LFC Requester: \_\_\_\_\_

**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**

**[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto: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 17, 2025 *Check all that apply:*  
**Bill Number:** HB 383 Original  Correction   
 Amendment  Substitute

**Sponsor:** Stefani Lord and John Block **Agency Name and Code Number:** Administrative Office of the District Attorneys 264  
**Short Title:** Exposure to Fentanyl use as child abuse **Person Writing:** Troy Davis  
**Phone:** 5053858461 **Email:** Davistr@msn.com

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis ( ) indicate revenue decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>						

(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 383 (HB383) amends Section 30-6-1 NMSA 1978, which deals with crimes against children and dependents. Section 1, subsection J of the bill, would amend Section 30-6-1-J NMSA 1978 to add fentanyl to methamphetamine, where now knowing or intentional exposure to either of these two drugs would represent prima facie evidence of child abuse. House Bill 383 Fentanyl Exposure as Child Abuse appropriates \$500 thousand from the general fund to Department of Public Safety for the purpose of investigating child abuse and neglect cases, including those involving fentanyl.

#### **FISCAL IMPLICATIONS**

#### **SIGNIFICANT ISSUES**

The State would still have to show beyond a reasonable doubt that fentanyl exposure put the child in danger.

#### **TECHNICAL ISSUES**

No definition of “exposure” in the bill.