

LFC Requester:

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}

Check all that apply:

Original Amendment

Date 2025-02-19

Correction Substitute

Prepared:

Bill No: HB434

Sponsor(s) : Joseph L. Sanchez

Agency Name and Code: CYFD 69000

Number:

Person: Cynthia.aragon@cyfd.nm.gov

Writing

Analysis:

Phone:

Short Title: ADJUDICATED DELINQUENT CHILD RELEASE TIME

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

REVENUE (dollars in thousands)

Estimated Revenue	Recurring	Fund

FY25	FY26	FY27	or Nonrecurring	Affected

ESTIMATED ADDITIONAL OPERATION BUDGET (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

Duplicates/Conflicts with/Companion to/Relates to: HB 134

Duplicates/Relates to Appropriation in the General Appropriation Act:

SECTION III: NARRATIVE

BILL SUMMARY

HB434 amends Article 2 of the Delinquency Act 32A-2-19 NMSA 1978 Disposition of an Adjudicated Delinquent Offender and 32A-2-23 NMSA 1978 Limitations on Dispositional Judgments-Modification-Termination or Extension of Court Orders of the Children’s Code by expanding the current mandatory supervised release timeframe of ninety (90) days to up to one hundred eighty days for short-term and long-term commitments and extends the short term commitment of one year to 18 months with up to one year served in a facility and up to one hundred eighty days on supervised release.

FISCAL IMPLICATIONS

There would be no fiscal impact on CYFD. CYFD's Juvenile Justice Services Division staff is already doing supervised release responsibilities and work in the Juvenile Probation Department, the Transitional Living Unit, and the Reintegration Centers.

SIGNIFICANT ISSUES

JJS staff including school, behavioral health, transitional living, probation and reintegration have provided input in creating this measure and fully support it.

The additional three months on supervised release will give CYFD up to six months to work with children and youth released from CYFD's facilities on supervised release. This added time provides youth with a critical safety net that may prevent recidivism that results when the youth is not ready for total independence. Specifically, clients will be able to receive services for up to 180 days instead of 90 days in the following areas: probation supervision, transitional living programming and reintegration programming. This bill creates an opportunity for clients to participate in extra programming in a more expansive timeframe and allows clients to access and engage in meaningful community supervision, support, services and resources, achieve personal goals, and adequately address their needs upon release from a CYFD commitment.

PERFORMANCE IMPLICATIONS

This bill will allow both clients and JJS staff additional time to adjust programming and dedicate more time to making successful completion attainable. This bill will also provide the Supervised Release Panel with the opportunity to review the cases and determine whether the client is ready for supervised release without having to release the client at nine-months in order to satisfy the current mandatory release time of ninety days. This bill will allow those clients who need additional time and structure in the facility to have it before being released.

ADMINISTRATIVE IMPLICATIONS

None at this time.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

HB134 terms of supervised release

TECHNICAL ISSUES

None at this time.

OTHER SUBSTANTIVE ISSUES

None at this time.

ALTERNATIVES

None at this time.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

If this bill is not enacted, CYFD JJS clients will not have the opportunity to access ongoing support and resources to achieve lasting rehabilitative goals such as sober living, mental health care, independent living, adequate re-entry programming. Youthful clients committed to a CYFD facility will be unable to fully engage and complete critical programming, including family counseling and educational goals due to the current 9-month mandatory release requirement.

AMENDMENTS

None.