

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

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

HB 525 proposes an amendment to Section 33-2-34 NMSA 1978, which governs eligibility for earned meritorious deductions in correctional facilities. The bill specifically adds "Second Degree Homicide by Vehicle" to the list of offenses classified as a "serious violent offense."

Key Provisions:

1. Earned Meritorious Deductions:
 - Prisoners actively participating in approved programs can earn time reductions based on their offense type.
 - Serious violent offenders are eligible for a maximum of four days per month in meritorious deductions.
 - Nonviolent offenders can earn up to thirty days per month in meritorious deductions.
2. Definition of "Serious Violent Offense":
 - The bill amends the existing list of serious violent offenses to include "Second Degree Homicide by Vehicle" as per Section 66-8-101 NMSA 1978.
 - This classification affects eligibility for early release and sentence reductions.
3. Parole and Additional Conditions:
 - Meritorious deductions can be revoked if the prisoner fails to comply with program participation.
 - Prisoners in federal or out-of-state facilities are eligible for deductions based on participation in available programs.
 - Offenders on parole may earn up to thirty days per month in meritorious deductions.

Implications:

- Stricter sentencing rules for individuals convicted of Second Degree Homicide by Vehicle.
- Limits the ability of such offenders to reduce their sentence through meritorious deductions.
- Aligns vehicular homicide laws with other violent crimes in terms of parole eligibility and time served.

FISCAL IMPLICATIONS

None for the Parole Board

SIGNIFICANT ISSUES

None for the Parole Board

PERFORMANCE IMPLICATIONS

None for the Parole Board

ADMINISTRATIVE IMPLICATIONS

None for the Parole Board

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None

TECHNICAL ISSUES

None

OTHER SUBSTANTIVE ISSUES

None

ALTERNATIVES

None

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo

AMENDMENTS

None