

LFC Requester:	Scott Sanchez
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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: 21 FEB 2025 *Check all that apply:*
Bill Number: HB 549 Original Correction
 Amendment Substitute

Sponsor: M. Dixon **Agency Name and Code** 790 – Department of Public Safety
Short Title: Crime of Carrying a Gun while Trafficking **Number:** _____
Person Writing Emmanuel T. Gutierrez
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
NFI	NFI	N/A	N/A

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
NFI	NFI	NFI	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	NFI	NFI	NFI	NFI	N/A	NA/

(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

This bill creates the crime of unlawful carrying of a firearm while trafficking a controlled substance in New Mexico. It makes it illegal to carry a firearm while violating the state's drug trafficking laws (NMSA 1978, Section 30-31-20). A person convicted of this offense will be guilty of a third-degree felony and will be sentenced under existing state law (NMSA 1978, Section 31-18-15). The bill defines a firearm as any weapon capable of expelling a projectile by explosion, including its frame or receiver.

FISCAL IMPLICATIONS

No fiscal implications to DPS.

SIGNIFICANT ISSUES

No significant issues for DPS.

PERFORMANCE IMPLICATIONS

This bill reduces the risk of violent crime associated with drug trafficking and prevents armed drug dealers from posing an increased threat to law enforcement and the public. It aims to enhance public safety by ensuring stricter penalties for individuals who are trafficking controlled substances while carrying firearms. By making it a third-degree felony, the bill sends a strong deterrent message to those considering engaging in such criminal activities.

Law enforcement agencies will benefit from the clearer legal framework this bill provides when they encounter drug trafficking operations involving firearms. The law would allow them to charge individuals with both drug trafficking and firearm-related offenses, streamlining prosecutions and creating stronger cases against criminals.

Many states have implemented similar laws to restrict the combination of firearms and drug trafficking. This bill aligns New Mexico's legal framework with national efforts to curb illegal gun possession and reduce the combination of firearms with drug-related offenses. In turn, this could lead to fewer violent encounters in communities affected by drug activity. Currently, these types of offenses are prevalent in daily law enforcement investigations in New Mexico. Therefore, DPS supports this legislation.

ADMINISTRATIVE IMPLICATIONS

None.

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 will remain.

AMENDMENTS

None.

