

LFC Requester:

Scott Sanchez

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: 1/24/25

Check all that apply:

Bill Number: SB18

Original Correction
Amendment Substitute

Sponsor: Sen. Craig W. Brandt

Agency Name and Code Number: 305 – New Mexico Department of Justice

Person Writing

Short Title: Crime of Swatting

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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
Total						

(Parenthesis () Indicate Expenditure Decreases)

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

SECTION III: NARRATIVE

This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator’s request. The analysis does not represent any official policy or legal position of the NM Department of Justice.

BILL SUMMARY

Synopsis:

Senate Bill 18 (SB 18) seeks to amend the language of NMSA 1978, Section 30-20-16 (1975) to add and define the crime of “Swatting,” which “consists of knowingly making a false or misleading report to a public safety agency of an ongoing emergency or threat of violence with the intent to cause an immediate response from a public safety agency.”

SB 18 also makes Swatting a fourth-degree felony, adds Swatting to the subsection discussing reimbursement, and adds and amends language in the “economic harm” definition to include Swatting and otherwise streamline the language (but not substantively modify it other than adding Swatting).

SB 18 also adds a definition of “public safety agency” to cover certain law enforcement, firefighting, and emergency medical services.

Finally, SB 18 also increases the penalty of making a shooting threat from a misdemeanor to a fourth-degree felony.

FISCAL IMPLICATIONS

N/A

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

SIGNIFICANT ISSUES

None.

PERFORMANCE IMPLICATIONS

Currently, there are two categories of false reports to law enforcement that are penalized, those involving firearms or bomb threats. SB 18 would add another category of false report that could be prosecuted.

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.

AMENDMENTS