

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: 01/23/2025 *Check all that apply:*
Bill Number: SB25 Original Correction
 Amendment Substitute

Sponsor: Crystal Brantley **Agency Name and Code Number:** 770-NMCD
Short Title: Penalties for 1 KG **Person Writing:** Anisa Griego-Quintana
Phone: 505-479-2296 **Email:** anisa.griego-quinta@cd.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
0	0	N/A	N/A

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
0	0	0	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	0	Minimal	Minimal	Minimal	Recurring	General

(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: Senate Bill 25 would amend the Criminal Sentencing Act (Sec. 31-18-15) to provide a sentence enhancement of three years, in addition to the basic sentence for fentanyl sale or trafficking, when a separate finding of fact by court or jury shows the fentanyl level amounted to one kilogram or more. Applies to prosecutions under Criminal Code Secs. 30-31-20 (trafficking controlled substances) or 30-31-21 (distribution to a minor).

FISCAL IMPLICATIONS

No significant impact.

SIGNIFICANT ISSUES

This amendment to increase the basic sentence of imprisonment by three years for individuals trafficking one kilogram or more of fentanyl represents a significant step forward in efforts to address the public health and safety issue. By increasing penalties for large-scale fentanyl trafficking, a clear message would be sent about the seriousness of this crime. At the same time, the amendment highlights a commitment to rehabilitation, as extended incarceration offers offenders more time to engage in programs that can help them turn their lives around. The New Mexico Corrections Department provides a range of programs aimed at helping inmates reprogram their lives and pursue a drug-free future. Overall, this change strengthens our efforts to protect public health, reduce overdose deaths, and gives inmates the opportunity for positive change.

PERFORMANCE IMPLICATIONS

None for the Corrections Department.

ADMINISTRATIVE IMPLICATIONS

None for the Corrections Department.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None for the Corrections Department.

TECHNICAL ISSUES

None for the Corrections Department.

OTHER SUBSTANTIVE ISSUES

None for the Corrections Department.

ALTERNATIVES

None for the Corrections Department.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

None proposed by the Corrections Department.