

Scott

<b>LFC Requester:</b>	<i>Scott Sanchez</i>
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**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**

[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto: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:** 1/29/25 *Check all that apply:*  
**Bill Number:** SB 34 Original  Correction   
 Amendment  Substitute

**Sponsor:** A. Maestas **Agency Name and Code:** NM CVRC/ 78000  
**Short Title:** Unlawful Possession of Stolen Firearm **Number:** \_\_\_\_\_  
**Person Writing:** Claire Harwell/Frank Zubia  
**Phone:** 505-553-1223 **Email:** Frank.Zubia@cvrc.nm.gov

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
0	0	0	0

(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
<b>Total</b>	0	0	0	0	n/a	n/a

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: HB 83  
Duplicates/Relates to Appropriation in the General Appropriation Act: n/a

### **SECTION III: NARRATIVE**

#### **BILL SUMMARY**

*The bill creates a new crime of having or transporting a weapon that one knows, or has reason to know, is stolen. The firearm is not only an operable one, but also one that could be made operable. There's an exception if one is returning it to the owner, or turning it in to a buyback program. The offense would be a fourth degree felony. A felon in possession of a stolen firearm could not be charged with both this new offense and the crime of being a felon in possession of a firearm under state law.*

Synopsis: *Creates a fourth degree felony crime of possessing a stolen firearm.*

#### **FISCAL IMPLICATIONS**

*None to CVRC.*

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**

*This law would reduce the potential penalties in the case of a more expensive weapon.*

#### **PERFORMANCE IMPLICATIONS**

*None noted.*

#### **ADMINISTRATIVE IMPLICATIONS**

*None noted.*

#### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

*HB 83 would allow permitless firearm carry for lawful gun ownership. This bill would need to be reconciled with the intent and language of that bill's reference to lawful ownership/possession.*

#### **TECHNICAL ISSUES**

*None noted.*

#### **OTHER SUBSTANTIVE ISSUES**

*None noted.*

#### **ALTERNATIVES**

*None suggested.*

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

*Depending upon circumstances, the prohibited conduct would be punished as either larceny or carrying a deadly weapon. Larceny offenses are graded by the value of the stolen item, with thefts of higher valued items punished as higher levels of felony.*

**AMENDMENTS**

*None noted.*