

AGENCY BILL ANALYSIS – 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

DFA@STATE.NM.US

SECTION I: GENERAL INFORMATION

Check all that apply:

Original Amendment
Correction Substitute

Date Prepared: 2025-01-28
Bill No: SB94

Sponsor(s) Jeff Steinborn
:

Agency Name CYFD 69000
and Code
Number:
Person Writing Bob Cleavall
Analysis:
Phone: 5056603489

Short STATUTE OF
Title: LIMITATIONS FOR
CERTAIN SEX CRIMES

Email: bob.cleavall@cyfd.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
0	0		
0	0		

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
0	0	0		
0	0	0		

ESTIMATED ADDITIONAL OPERATION BUDGET (dollars in thousands)

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	-	-	-	-		

Duplicates/Conflicts with/Companion to/Relates to:

Duplicates/Relates to Appropriation in the General Appropriation Act:

SECTION III: NARRATIVE

BILL SUMMARY

SB 94 amends section 30-1-8 to give victims of criminal sexual penetration as minors more time to seek justice. Under this bill, prosecutors can file charges at any point until the victim turns 35 years of age. However, this change does not apply to first degree violent felonies or certain aggravated cases. This change ensures the victims have more time to come forward and hold offenders accountable.

FISCAL IMPLICATIONS

There are no fiscal impacts for CYFD.

SIGNIFICANT ISSUES

There are no significant legal issues for CYFD.

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Courts and prosecutors may expect records to be preserved for as long as they are relevant to potential cases. Currently, CYFD investigative records from

abuse or neglect cases not resulting in transfer of custody to the state are preserved per NMAC 1.21.2.801(c) which states that said records are to be stored by CYFD for 19 years from the date of birth of the subject child. This bill creates a conflict with NMAC 1.21.2.801(c) because the record retention period may be shorter than the extended time to prosecute under SB 094.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

There will be no consequences for CYFD for not enacting this bill.

AMENDMENTS

None.