

LFC Requester: \_\_\_\_\_

**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:** January 29, 2025 *Check all that apply:*  
**Bill Number:** SB 153 Original  Correction   
 Amendment  Substitute

**Sponsor:** Antonio Maestas & Nicole Chavez **Agency Name and Code Number:** Administrative Office of the District Attorneys 264  
**Short Title:** Creating the crime of home invasion **Person Writing:** Troy Davis  
**Phone:** 5053858461 **Email:** Davistr@msn.com

**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
<b>Total</b>						

(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:**

The bill removes "dwelling" from the definition of aggravated burglary and creates a new crime called "home invasion." Aggravated burglary will now apply to unauthorized entry into vehicles, watercraft, aircraft, or other structures with the intent to commit a felony or theft, and involves being armed with a deadly weapon, arming oneself after entry, or committing battery. Home invasion is defined as unlawful entry into a dwelling with an occupant inside, with the intent to commit a felony or theft, and involves being armed with a deadly weapon, arming oneself after entry, or causing someone to reasonably believe they are in danger of immediate battery. Both crimes are classified as second-degree felonies.

#### **FISCAL IMPLICATIONS**

None does not technical create a new crime but modifies an existing statute.

#### **SIGNIFICANT ISSUES**

None clarifies existing statute. It does not create a new crime just relabels aggravated burglary for a dwelling.

#### **TECHNICAL ISSUES**

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