

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: 02/5/2025 *Check all that apply:*
Bill Number: SB244 Original Correction
 Amendment Substitute

Sponsor: Michael Padilla **Agency Name and Code Number:** 770-NMCD
Short Title: Unlawful Transfer of Firearm to a Minor **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	0	0	N/A	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 244 would make unlawfully transferring a firearm to a minor a criminal offense punishable as felony racketeering but provides numerous exemptions for hunting, sport shooting or other activities related to nonprofits and gun clubs.

Transferring a firearm to a minor would be added to the definition of racketeering under Sec. 30-42-3, punishable as a second-degree felony.

Exemptions include:

- attending a hunter's safety course or handgun safety course
- Target shooting at an established shooting range
- Competitive shooting
- A performance or practice related to a 501(c)3 nonprofit organization
- Legal hunting or trapping
- If the minor is on property under control of the minor's parents, grandparents or legal guardian and is being supervised by one of these adults
- The transfer occurs from the minor's parent, guardian or legal guardian to the minor.

FISCAL IMPLICATIONS

The New Mexico Corrections Department may face additional budgetary impacts, depending on the outcomes of successful prosecutions and the resulting sentences, whether involving prison terms or community supervision. At the FY24 expenditure level, the average cost per inmate is \$56,804 annually, or approximately \$156 per day. Given current trends in inflation and rising operational costs, the future average cost per inmate will exceed the current estimate. Additionally, the average annual cost per individual on community supervision is \$7,074.

Individuals convicted under this law may face longer sentences due to the felony racketeering charge.

SIGNIFICANT ISSUES

A standard condition of probation supervision is that the offender is not allowed to possess firearms or weapons. If the offender is convicted under this new law and placed on probation, the prohibition on weapon possession would apply, even if there are exceptions to the law for activities like hunting or sport shooting.

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.