

LFC Requester:	
----------------	--

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}

Check all that apply:

Original Amendment
Correction Substitute

Date Prepared: 2025-02-11
Bill No: SB329

Sponsor(s) Nicholas A. Paul
:

Agency Name CYFD 69000
and Code
Number:

Person Writing Bob Cleavall
Analysis:

Short RECRUITMENT OF CHILD
Title: INTO GANGS

Phone: 5056603489

Email: bob.cleavall@cyfd.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

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

REVENUE (dollars in thousands)

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

ESTIMATED ADDITIONAL OPERATION BUDGET (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	0	0	0	0		

Duplicates/Conflicts with/Companion to/Relates to:

Duplicates/Relates to Appropriation in the General Appropriation Act:

SECTION III: NARRATIVE

BILL SUMMARY

Senate Bill 329 introduces a new section to Chapter 30, Article 6 of the New Mexico Criminal Code establishing the crime of soliciting or recruiting a child into a criminal street gang. Under this legislation, recruiting a child under the age of 13 into a gang is classified as a third-degree felony, while recruiting a child between the ages of thirteen and eighteen is classified as fourth degree felony.

FISCAL IMPLICATIONS

There is no fiscal impact to CYFD.

SIGNIFICANT ISSUES

There are no significant issues concerning CYFD.

PERFORMANCE IMPLICATIONS

There are no performance implications for CYFD.

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

The bill uses the phrase "any person", which lacks clarity in distinguishing whether it applies solely to adults or also includes minors. This ambiguity could create issues for CYFD's Juvenile Justice Services (JJS) as it may lead to unintended consequences for justice-involved youth, potentially extending their probation if they are implicated under this statute.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Should this bill not become law, it is still very possible that adult gang members will continue to recruit minors.

AMENDMENTS

None.