

<b>LFC Requester:</b>	<b>Scott Sanchez</b>
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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:** 02/14/2025 *Check all that apply:*  
**Bill Number:** SB381 Original  Correction   
 Amendment  Substitute

**Sponsor:** Candy Spence Ezzell **Agency Name and Code Number:** 770-NMCD  
**Short Title:** Criminal Code Definition of Livestock **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
<b>Total</b>	0	0	0	0	N/A	N/A

(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 381 would create new tiered charges for larceny of livestock based on the value of the livestock and allows for multiple offenses of livestock larceny; creates similar tiered offenses for firearm larceny; specifies that theft of firearms and theft of livestock are separate offenses.

Tiered offenses for livestock larceny are based on the value of the livestock, as follows:

- \$2,500 or less: third degree felony
- More than \$2,500: second degree felony
- More than \$20,000 (and multiple livestock are stolen): second degree felony.

New tiered offenses for firearm larceny, also based on value:

- \$2,500 or less: fourth degree felony
- More than \$2,500 (but less than \$7,000): third degree felony
- More than \$7,000 (but less than \$15,000): second degree felony
- More than \$15,000: first degree felony

Defines "livestock" as any "domestic or domesticated animal or animals that are used or raised on a farm or ranch and exotic animals in captivity and includes horses, asses, mules, cattle, sheep, goats, swine, bison, poultry, ostriches, emus, rheas, camelids and farm cervidae, but does not include canine or feline animals. Livestock may be singular or plural; and 'head of livestock' means a single animal."

#### **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.

#### **SIGNIFICANT ISSUES**

None for the Corrections Department.

#### **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.