

<b>LFC Requester:</b>	<b>Sanchez, Scott</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:** 2/19/25 *Check all that apply:*  
**Bill Number:** SM 10 Original  Correction   
 Amendment  Substitute

**Sponsor:** Sen. Shannon D. Pinto **Agency Name and Code** AOC  
**Short Title:** Protection from Sexual Crimes **Number:** 218  
**Person Writing** Kathleen Sabo  
**Phone:** 505-470-3214 **Email** aoccaj@nmcourts.gov

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
None	None	Rec.	General

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
Unknown	Unknown	Unknown	Rec.	General

(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>	Unknown	Unknown	Unknown	Unknown	Rec.	General

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: None.

Duplicates/Relates to Appropriation in the General Appropriation Act: None.

### **SECTION III: NARRATIVE**

#### **BILL SUMMARY**

Synopsis: SM 10 requests the United States, New Mexico and Native American tribes be requested to collaboratively take proactive steps to protect children, women and all others who are victims of sexual crimes and to hold the perpetrators accountable.

Copies of the memorial are to be transmitted to the New Mexico congressional delegation, the governor and New Mexico's twenty-three Indian nations, tribes and pueblos.

#### **FISCAL IMPLICATIONS**

There will be a minimal administrative cost for transmittal of the memorial to the proposed task force participants. Any additional fiscal impact on the judiciary would be related to the participation of AOC personnel in any actions taken by the State of New Mexico in taking proactive steps to protect children, women and all others who are victims of sexual crimes and to hold the perpetrators accountable, including any commenced prosecutions and appeals from convictions. New laws, amendments to existing laws and new hearings have the potential to increase caseloads in the courts, thus requiring additional resources to handle the increase.

#### **SIGNIFICANT ISSUES**

1) SM 10 notes the following:

- Even when crimes of sexual violence and sexual abuse are reported, statutes of limitations are often unjust and unfavorable to the victim.
- There is a nationwide movement to remove or adjust statutes of limitation for sexual violence cases.

In New Mexico, legislation has been introduced in 2025, and previously, that would, for example, permit an action for damages based on personal injury caused by childhood sexual abuse to be commenced at any time (HB 73), and set the time limitation for commencing prosecution for the crime of criminal sexual penetration of a minor (Section 30-9-11 NMSA 1978) to permit a prosecution to commence at any time after the occurrence of the crime until the alleged victim reaches the age of thirty-five (35). (SB 94)

The extension and elimination of time limitations for commencing prosecutions are likely to result in more prosecutions and potentially in more defendants invoking their right to trials, as well as to jury trials. More trials and more jury trials will require additional judge time, courtroom staff time, courtroom availability and jury fees. Indigent offenders are entitled to public defender services.

Additionally, the expanded statutes of limitation could result in dated or "stale" evidence that requires more careful vetting by judges and defendants, which in turn results in lengthier, more complex trials and appeals that require a greater commitment of the judicial branch's fiscal and administrative resources.

## **PERFORMANCE IMPLICATIONS**

The courts are participating in performance-based budgeting. This bill may have an impact on the measures of the district courts in the following areas:

- Cases disposed of as a percent of cases filed
- Percent change in case filings by case type

## **ADMINISTRATIVE IMPLICATIONS**

See “Fiscal Implications,” above.

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

None.

## **TECHNICAL ISSUES**

## **OTHER SUBSTANTIVE ISSUES**

## **ALTERNATIVES**

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

## **AMENDMENTS**