

FIFTY-SEVENTH LEGISLATURE  
FIRST SESSION

PROPOSED AMENDMENT DIRECTED TO A COMMITTEE

February 25, 2025

Madam Chair:

I propose to the HOUSE HEALTH AND HUMAN SERVICES COMMITTEE the following amendments to

HOUSE BILL 434

1. On page 1, line 13, after "CHILD", insert "; PROVIDING FOR THE ISSUANCE OF WARRANT AND TOLL OF TIME OF SUPERVISED RELEASE FOR A CHILD THAT HAS ABSCONDED FROM THE SUPERVISED RELEASE TERM".

2. On page 3, line 14, remove the brackets and the line through "or".

3. On page 3, lines 16 through 18, strike the underscored language.

4. On page 3, line 21, strike "twenty-one" and insert in lieu thereof "eighteen".

5. On page 10, between lines 3 and 4, insert:

"SECTION 3. Section 32A-2-25 NMSA 1978 (being Laws 1993, Chapter 77, Section 54, as amended) is amended to read:

"32A-2-25. [~~PAROLE REVOCATION~~] SUPERVISED RELEASE--  
PROCEDURES.--

A. A child on [~~parole from an agency that has legal custody~~] supervised release who violates a term of [~~parole~~] supervised release may be proceeded against in a [~~parole revocation~~]

supervised release proceeding conducted by the department [or the supervising agency] or by a hearing officer contracted by the department who is neutral to the child and the [agency] department in accordance with procedures established by the department in cooperation with the juvenile [parole] public safety advisory board and any other person designated by the department.

B. A juvenile probation [~~and parole~~] officer may detain a child on [~~parole status~~] supervised release who is alleged to have violated a term or condition of [~~parole~~] supervised release until the completion and review of a preliminary [~~parole~~] supervised release revocation hearing. A child may waive the right to a preliminary [~~parole~~] supervised release revocation hearing after consultation with the child's attorney, parent, guardian or custodian.

[B.] C. If a retake warrant is issued by the department upon the completion of the preliminary [~~parole~~] supervised release revocation hearing, or in the case of a waiver, the juvenile [~~institution~~] facility to which the warrant is issued shall promptly transport the child to that [~~institution~~] facility at the expense of the department. If a child absconds from [~~parole supervision~~] supervised release and is apprehended in another state after the issuance of a [~~retake~~] warrant by the [~~department~~] district court, the juvenile justice division of the department [~~shall~~] may cause the return of the child to this state at the expense of the department.

D. The issuance of a warrant upon an allegation that the child has absconded from supervised release shall toll the supervised release term. After a hearing upon return, if the court finds the child willfully absconded from supervised release, the time from the date of the violation to the date of the child's arrest shall not be counted as time served on supervised release and the tolled time shall be added to the supervised release term."

Respectfully submitted,

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Joseph Sanchez