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## FISCAL IMPACT REPORT

<b>SPONSOR</b> <u>Hochman-Vigil/Parajón/Roybal Caballero</u>	<b>LAST UPDATED</b> <u>02/02/2024</u>
	<b>ORIGINAL DATE</b> <u>01/29/2024</u>
<b>SHORT TITLE</b> <u>Office of Gun Violence Prevention</u>	<b>BILL NUMBER</b> <u>House Bill 144/aHCPAC</u>
	<b>ANALYST</b> <u>Chilton</u>

### APPROPRIATION\* (dollars in thousands)

FY24	FY25	Recurring or Nonrecurring	Fund Affected
	\$500.0	Recurring	General Fund

Parentheses ( ) indicate expenditure decreases.

\*Amounts reflect most recent analysis of this legislation.

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT\* (dollars in thousands)

Agency/Program	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
DOH		\$746.9	\$746.9	\$1,593.8	Recurring	General Fund

Parentheses ( ) indicate expenditure decreases.

\*Amounts reflect most recent analysis of this legislation.

Relates to HB79, HB81, HB114, HB127, HB129, HB137, HB198, SB69, and SB90

### Sources of Information

LFC Files

Agency Analysis Received From  
Department of Health (DOH)  
University of New Mexico (UNM)

Agency Declined to Respond  
Administrative Office of the Courts (AOC)

## SUMMARY

### Synopsis of HCPAC Amendment to House Bill 144

The House Consumer and Public Affairs Committee amendment makes the director of the Office of Gun Violence Prevention an appointee of the governor, and therefore dispenses with a director selection committee. There is no change to the requirement that the director be a person with experience in data collection and gun violence prevention.

Rather than having the office of gun violence prevention be responsible for removing identifying information about individuals, the Department of Health is made responsible for this privacy issue.

In addition, a new Section 9 is added to the bill, so that now House Bill 144 appropriates \$500 thousand from the general fund to the Department of Health for the purpose of hiring or contracting employees to perform the functions of the Office of Gun Violence Prevention and Intervention Act.

### **Synopsis of Original House Bill 144**

House Bill 144 would establish an Office of Gun Violence Prevention in the Department of Health (DOH). Its tasks and the reporting it would be asked to do are outlined in this bill.

A director selection committee would be established to appoint a director for six years, after an initial term of six months beginning on July 1, 2024. The director would be selected on the basis of having experience in gun violence prevention and in data collection. The director's duties would include hiring staff as needed, based on an applicant's competence and fitness to carry out tasks assigned, specifically not related to political affiliation.

The director selection committee would consist of nine members, four selected by the Legislative Counsel and four by the governor, with both sets consisting of no more than two members of one political party. The ninth member would be the committee chair, selected by a majority of the other eight members. The committee would also set the salary of the director.

The Office of Gun Violence Prevention would maintain a data bank of de-identified research data and statistics related to gun violence in New Mexico. The resources developed would be shared with researchers, law enforcement agencies, public health officials, and organizations conducting gun violence research. The tasks of the office and of these cooperating persons and agencies include:

- Identifying data gaps,
- Gathering and analyzing data regarding the Extreme Risk Firearm Protection Order Act,
- Using research results to inform evidence-based gun violence prevention efforts in New Mexico communities,
- Improving understanding of disparities in gun violence between racial and ethnic groups,
- Promoting new research relevant to gun violence prevention,
- Facilitating coordination among state and local entities attempting to address gun violence,
- Conducting gun violence prevention awareness activities,
- Outlining best practices for preventing gun violence in New Mexico, and
- Helping to educate law enforcement academy members about gun violence prevention.

The office would seek federal and other funding to achieve its goals.

The Office of Gun Violence Prevention would report its findings and suggested legislation to the Legislature before December 15 of each year.

The effective date of this bill is July 1, 2024.

## FISCAL IMPLICATIONS

The appropriation of \$500 thousand contained in the amended bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY25 shall revert to the general fund.

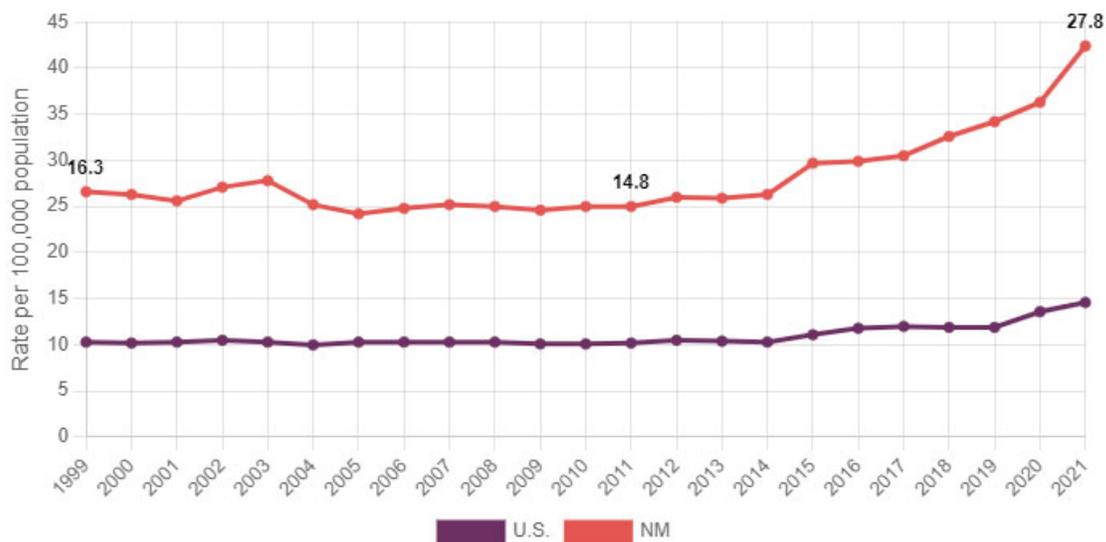
As noted by UNM, “Lack of dedicated funding would likely impact the ability of the committee hiring the director to understand the financial impacts of this and what would be the salary range etc. The bill does not indicate if there is an existing job description. If not, there would need to be one developed and an analysis of the cost of the director position would also need to be performed.”

DOH estimates its costs as follows: Five staff (an epidemiologist and four program coordinators) at \$105,627 per year each and one staff manager at \$113,043 per year, or a yearly total of \$535,551, and other expenses—for office space, computer set-up, supplies, and training—for a total of \$211,365 and a grand total of \$746,916 per year.

## SIGNIFICANT ISSUES

Gun violence in the United States is far more prevalent than in other developed countries, and most other countries in the world as well. By almost any measure, the problem is more severe in New Mexico than in most other states.

Age-Adjusted Firearm Injury Death Rate in New Mexico and the United States, 1999-2021



Source: CDC Wonder, available at [Gun Violence Dashboard - Office of the Governor - Michelle Lujan Grisham \(state.nm.us\)](https://www.gunviolence.org/gun-violence-dashboard/)

DOH further delineates the extent of the problem, as follows:

- In 2022, New Mexico had the third highest age-adjusted rate of firearm involved death among all states in the United States (26.5 deaths per 100,000 residents) (Unpublished data, BVRHS), which was 84 percent higher than the United States

- (14.4 deaths per 100 thousand residents, age adjusted) (Provisional Mortality Statistics, 2018 through Last Week Request Form (cdc.gov)).
- In 2022, the age adjusted firearm death rate in New Mexico was 26.5 deaths per 100 thousand residents, which was the second highest rate in New Mexico since 1999 (Unpublished data, New Mexico Bureau of Vital Records and Health Statistics [NM BVRHS]).
  - The age adjusted firearm death rate in New Mexico decreased by 1.9 percent between 2021 and 2022 (from 27.0 to 26.5 deaths per 100 thousand residents) but increased by 17.3 percent between 2020 and 2022 (from 22.6 to 26.5 deaths per 100 thousand residents) (Unpublished data, NM BVRHS).
  - In 2022, there were 550 firearm-related deaths in New Mexico that included 295 suicides, which represents 54 percent of all firearm deaths in New Mexico (Unpublished data, NM BVRHS).
  - In New Mexico, there have been 140 firearm deaths among children aged 0 – 18 between 2016 and 2020, which include 68 suicide deaths and 64 homicide deaths (<https://wonder.cdc.gov/Deaths-by-Underlying-Cause.html>).

DOH goes on to take a public health approach to gun violence:

Medical clinicians treat disease by focusing on one patient at a time. In contrast, public health brings together researchers, practitioners, educators, and other stakeholders to prevent disease and injury at the community or population level by: (1) identifying root causes; and (b) implementing large scale solutions. When you apply the public health framework to gun violence, this would mean focusing less on treating individual gunshot wounds and shifting the focus to identify root causes of gun violence and developing interventions to prevent it (<https://publichealth.jhu.edu/about/what-is-public-health>).

DOH goes on to suggest that a public health approach to gun violence, such as that advocated for the Office of Gun Violence Prevention, would take into account root causes of the problem, such as previous exposure to violence, domestic and otherwise; substance abuse; availability of firearms; poverty.

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

House Bill 144 relates to

- HB79 Firearm and ammo gross receipts,
- HB81 Gun storage tax credit,
- HB114 Firearm industry accountability act,
- HB127 Age 21 for firearm purchases,
- HB129 Firearm sale waiting period crimes,
- HB137 Gas-operate semiauto firearms exclusion act,
- HB198 Felon in possession of semiautomatic firearm converter,
- SB69 14-day firearm sale waiting period, and
- SB90 Firearm and ammo tax act.

LAC/rl/ne/ss/r/ne