

VETOED CRIMINAL JUSTICE REFORM BILLS 2011-2018

Category	Bill No. (Year) Sponsor Action	Title and Description
BEHAVIORAL HEALTH	SB 438 (2011) Ortiz y Pino Pocket Veto	<i>SAFE HOUSE ACT</i> Requires the Human Services Department (HSD) to operate two safe houses in the state that offer early intervention services to voluntary residents. Creates a Safe House and Crisis Fund to provide early intervention services for people with urgent behavioral health needs.
BEHAVIORAL HEALTH	HB 108 (2015) Lundstrom Veto	<i>BEHAVIORAL HEALTH INVESTMENT ZONES</i> Requires the Interagency Behavioral Health Purchasing Collaborative to implement an alternative methodology to allocate non-Medicaid behavioral health funding through investment zones that takes into consideration the risks and needs of geographical areas based on epidemiological data.
BEHAVIORAL HEALTH	HB 306 (2017) Stapleton/ Thomson/ D. Armstrong/ C. Trujillo Veto	<i>INTERVENTIONS FOR SOME NONVIOLENT OFFENDERS</i> Requires the HSD's Behavioral Health Services Division to implement and evaluate for effectiveness a framework for targeted, individualized interventions that address behavioral health needs and connect individuals to resources and services that reduce the likelihood of recidivism, detention and incarceration.
BEHAVIORAL HEALTH	HB 160 (2018) Stapleton Veto	<i>NONVIOLENT OFFENDER INTERVENTIONS</i> Requires the HSD's Behavioral Health Services Division to implement and evaluate for effectiveness a framework for targeted, individualized interventions that address behavioral health needs and connect individuals to resources and services that reduce the likelihood of recidivism, detention and incarceration.

CORRECTIONS: FACILITIES	SB 193 (2011) Ingle Pocket Veto	<i>STATE AGENCY 5-YEAR FACILITY MASTER PLANS</i> Requires the Property Control Division (PCD) of the General Services Department and the Department of Finance and Administration (DFA) to prepare and update a five-year plan of state capital improvement projects. (Includes state prisons.)
CORRECTIONS: FACILITIES	SB 83 (2012) Ingle Pocket Veto	<i>STATE FACILITY 5-YEAR MASTER PLANS</i> Requires the PCD and the DFA to prepare and update a five-year plan of state capital improvement projects. (Includes state prisons.)
CORRECTIONS: INCARCERATION	HB 347 (2011) Miera Veto	<i>JUVENILE DETENTION REQUIREMENTS MODIFICATIONS</i> Requires that a child held at an adult jail must be kept under continuous sight supervision and released or detained after six hours. Provides that a child may not be transferred to an adult prison solely for turning 18 while detained. Requires a court to make a finding on the record that placing a child in a local detention facility is appropriate and will have a rehabilitative effect prior to placing the child in a local detention facility.
CORRECTIONS: INCARCERATION	SB 96 (2011) Adair Pocket Veto	<i>ALLOW INMATE TELECOMM USE FEES</i> Allows a fee of \$.35 or less per telephone call to be imposed on inmate calls. Establishes and transmits fees to a Victims Notification Fund.
CORRECTIONS: INCARCERATION	HB 175 (2017) Maestas/ Lundstrom Veto	<i>ISOLATED CONFINEMENT ACT</i> Prohibits the use of restricted housing for juveniles and pregnant women. Limits restricted housing when an inmate has a known serious mental disability. Requires correctional facilities to provide data on restricted housing to the jurisdictional board of county commissioners and the legislature.
CORRECTIONS: INCARCERATION	HB 277 (2017) Maestas Barnes/ Padilla Pocket Veto	<i>LACTATION POLICIES FOR FEMALE INMATES</i> Requires correctional facilities to implement policies for lactating inmates.

<p>CORRECTIONS: SUPERVISION</p>	<p>HB 298 (2011) Maestas Veto</p>	<p><i>SEX OFFENDER REGISTRATION REQUIREMENTS</i> Requires additional personal information of a sex offender, including license plate numbers and home addresses. Reduces registration frequency for individuals who have 10 years of continuous and compliant registration. Requires the Department of Public Safety to send verification reminders to individuals. Clarifies that kidnapping and false imprisonment are only sex offenses if the crimes are committed with the intent to inflict a sexual offense. Prevents state and local law enforcement from requiring more frequent reporting. Prohibits political subdivisions of the state from imposing restrictions that are not in the Sexual Offender Registration and Notification Act.</p>
<p>CORRECTIONS: SUPERVISION</p>	<p>HB 438 (2013) Stewart Veto</p>	<p><i>NO MANDATORY PAROLE FOR CERTAIN SENTENCES</i> Removes the requirement that a person convicted of a misdemeanor be imprisoned in the county jail. Prevents parole being required for felony convictions when the sentencing is less than a year. Requires the Adult Parole Board to apprise an inmate in person of the conditions of parole.</p>
<p>CORRECTIONS: SUPERVISION</p>	<p>HB 332 (2015) Maestas Veto</p>	<p><i>REDUCE PROBATION TIME FOR GOOD BEHAVIOR</i> Allows a probationer to have 30 days removed from the probation period for every day served without a probation violation.</p>
<p>COURTS</p>	<p>HB 58 (2011) Stewart Veto</p>	<p><i>JUDICIAL RETIREMENT CONTRIBUTIONS</i> Appropriates \$3.051 million for increased employer contributions to judicial and magistrate retirement funds.</p>

COURTS	HB 151 (2011) Rehm Pocket Veto	<i>CERTAIN COURT FINES & FEES AS MONEY JUDGMENT</i> Allows the fine and fee portion of a criminal judgment and sentence issued by a district court to be treated as a money judgment and assigned by contract to a public or private business for collection.
COURTS	HB 275 (2011) Nunez Pocket Veto	<i>MAGISTRATE QUALIFICATIONS</i> Eliminates the requirement that magistrates in counties with populations of 200,000 or less be attorneys.
COURTS	SB 277 (2011) M. Sanchez Veto	<i>INCREASE MAGISTRATE COURTS OPERATIONS FEE</i> Increases the magistrate courts operations fee from \$4.00 to \$7.00.
COURTS	HB 72 (2012) Stewart Veto	<i>JUDICIAL RETIREMENT CHANGES</i> Funds all required employee and employer contributions required under the magistrate and judicial retirement systems as a statutory percentage of salary. Changes funding sources for both magistrate and judicial retirement by replacing money from docket fees with a recurring appropriation from the General Fund. Appropriates \$2.9 million for increased contributions to judicial and magistrate retirement funds.
COURTS	HB 186 (2012) Saavedra Veto	<i>CREATE ADDITIONAL JUDGESHIPS</i> Create one additional judgeship in both the Second and Thirteenth Judicial District courts and one additional judgeship in Bernalillo County Metropolitan Court. Includes an appropriation of \$459,188 for the salary of the additional judges and related staff, supplies and furnishings.
COURTS	SB 25 (2013) Munoz Veto	<i>JUDICIAL RETIREMENT CHANGES</i> Increases age and service requirements for retirement. Converts employer contributions to a percentage of salary rather than a combination of employer contributions and docket fees. Applies a two percent cost-of-living adjustment for fiscal year 2016.

COURTS	SB 491 (2013) McSorley Pocket Veto	<i>POST-CONVICTION DNA TESTING ACT</i> Requires courts to grant full, fair and prompt proceedings when a person convicted of a felony petitions for DNA testing.
COURTS	SB 38 (2014) Candelaria Veto	<i>METRO COURT BOND FUND RECIPIENTS</i> Allows the balance in the Metropolitan Court Bond Guarantee Fund that exceeds the reserve annual bond payment to be distributed to the Administrative Office of the Courts (AOC) for maintenance of court facilities and to the Traffic Safety Bureau of the Department of Transportation (DOT) for DWI prevention and reduction.
COURTS	HB 89 (2015) Herrell Pocket Veto	<i>COURT LANGUAGE ACCESS FUND</i> Creates the Language Access Fund (LAF) to provide court interpreters, operate and staff the New Mexico Center for Language Access, fund language access services at the AOC and fund language training and other activities required to meet constitutional and statutory requirements to provide language access in courts and court-related activities.
COURTS	SB 210 (2016) Stewart/Herrell Veto	<i>CREATE COURT LANGUAGE ACCESS FUND</i> Creates the LAF to provide court interpreters, operate and staff the New Mexico Center for Language Access, fund language access services at the AOC and fund language training and other activities required to meet constitutional and statutory requirements to provide language access in courts and court-related activities.
COURTS	SB 49 (2017) Martinez Pocket Veto	<i>CREATE JUDGE PRO TEMPORE FUND</i> Creates a fund to compensate appointed judges pro tempore who serve temporarily in district court.

COURTS	SB 304 (2017) Martinez Pocket Veto	<i>MAGISTRATE COURTS OPERATIONS FUND & FEES</i> Reinstates the Magistrate Courts Operations Fund, to be funded by a magistrate courts operations fee. Renews the operations fee (expired in 2014) and increases the fee from \$4.00 to \$5.00 until 2020.
CRIMES	SB 59 (2012) Garcia Veto	<i>CHILD MURDER AS AGGRAVATING CIRCUMSTANCE</i> Provides that the murder of a child under age 13 is an aggravating circumstance for capital felony sentencing.
CRIMES	HB 146 (2013) Maestas Veto	<i>SALE OF METHAMPHETAMINE PRECURSORS</i> Restricts the per-person purchase amount of nonprescription ephedrine and pseudoephedrine to no more than 3.6 grams per day or no more than nine grams per 30-day period. Establishes the violation of the purchase limitations as a misdemeanor punishable by a fine of no more than \$1,000.
CRIMES	HB 428 (2017) Maestas Veto	<i>REVISE CERTAIN CRIMINAL PENALTIES</i> Revises (generally reduces) penalties for a variety of offenses, including littering, lack of/improper vehicle registration and failure to appear.
CRIMES	SB 259 (2017) Cervantes Veto	<i>NO FIREARMS FOR ORDERS OF PROTECTION SUBJECTS</i> Prohibits a person subject to certain orders of protection from possessing or purchasing a firearm. Requires the individual to relinquish firearms to an authorized recipient.
CRIMES	SB 159 (2018) Pirtle/Gallegos Pocket Veto	<i>CONVICTION RECORDS FOR CDL HOLDERS</i> Requires the Taxation and Revenue Department to retain records showing the convictions of a person with a commercial driver's license for six years.

DIVERSION/ PREVENTION	HB 254 (2015) Pacheco/Rue Veto	<i>HAZARDOUS OFFICER COMPELLED STATEMENT RELEASE</i> Prevents the release of a compelled statement of an officer except upon court order.
DIVERSION/ PREVENTION	HB 203 (2016) Ruiloba Veto	<i>INCREASE AMOUNT FOR INDIGENT USE OF INTERLOCK</i> Increases the amount that the DOT's Traffic Safety Bureau may reimburse eligible indigent offenders for ignition interlock verified active usage fees from \$30.00 to \$50.00 per month.
DIVERSION/ PREVENTION	HB 233 (2017) Ruiloba Pocket Veto	<i>UNIVERSITY POLICE OFFICER JURISDICTION</i> Extends university police jurisdiction to streets immediately adjacent to a campus or university property.
DWI	SB 509 (2011) Cravens Veto	<i>NO CAR INTERLOCK FOR CERTAIN CONVICTIONS</i> Removes the prohibition against issuing an ignition interlock license to a person convicted of homicide by vehicle while under the influence of liquor or drugs.
DWI	SB 71 (2012) Asbill Veto	<i>INTERLOCKS FOR CERTAIN CRIME CONVICTIONS</i> Allows a person convicted of homicide by vehicle or great bodily harm while driving under the influence (DUI) to obtain an ignition interlock license after the person's sentence is completed.
DWI	HB 404 (2015) Lewis Pocket Veto	<i>DRIVER'S LICENSE FOR SOME WITH ONLY 1 DWI</i> Allows a person with only one prior DUI conviction in another state to obtain a New Mexico driver's license upon proof of completion of the person's sentence, whether or not an ignition interlock device was installed.
REENTRY	SB 2 (2012) M. Sanchez Veto	<i>CRIMINAL RECORD EXPUNGEMENT ACT</i> Sets methods of expungement for identity theft or wrongful arrests; indictments and charges; release without conviction; and misdemeanors after five years (10 years for offense involving domestic violence or abuse).

REENTRY	SB 65 (2013) Ortiz y Pino Veto	<i>PRE-RELEASE MEDICAID FOR INCARCERATED PERSONS</i> Requires the HSD to assist eligible incarcerated individuals with obtaining or maintaining Medicaid before release so the individual will have access to Medicaid benefits immediately upon release.
REENTRY	SB 158 (2013) Cervantes Veto	<i>UNIFORM CONSEQUENCES CONVICTION ACT</i> Requires the New Mexico Sentencing Commission to identify, compile and post online all New Mexico legal provisions that impose collateral consequences. Requires the defendant to be notified by counsel and the Corrections Department (CD)/detention facilities of the potential for collateral consequences. Provides a process for a convicted individual to seek relief from collateral consequences.
REENTRY	SB 294 (2013) M. Sanchez Veto	<i>CRIMINAL RECORD EXPUNGEMENT ACT</i> Sets methods of expungement for identity theft or wrongful arrests; indictments and charges; release without conviction; and misdemeanors after five years (10 years for offense involving domestic violence or abuse).
REENTRY	SB 358 (2015) Torraco Pocket Veto	<i>HALFWAY HOUSE & TRANSITIONAL FACILITY ACT</i> Requires the CD to operate or contract out the operation of halfway houses or transitional residential facilities in at least four regions of the state.
REENTRY	SB 78 (2017) O'Neill/Baldonado Veto	<i>PRIVATE EMPLOYER CONVICTION INQUIRIES</i> "Ban the box" for private companies. Prohibits private employers from inquiring about an applicant's conviction on an initial employment application.

VICTIMS/ WITNESSES	SB 490 (2013) McSorley Pocket Veto	<i>ACCURACY OF EYEWITNESS PROCEDURES</i> Requires law enforcement agencies conducting eyewitness identification to establish written policies for using an eyewitness to identify a suspect.
VICTIMS/ WITNESSES	SB 149 (2017) Candelaria Pocket Veto	<i>CRIME VICTIM & WITNESS CONFIDENTIALITY</i> Modifies the Inspection of Public Records Act to protect the confidentiality of victims of and witnesses to certain crimes, including stalking and criminal sexual penetration.
VICTIMS/ WITNESSES	SB 245 (2017) Ivey-Soto Pocket Veto	<i>CONFIDENTIAL SUBSTITUTE ADDRESS ACT</i> Repeals Section 40-13-11 NMSA 1978, which contains substitute address protections for domestic violence victims, and creates a process to protect abuse victims by generating a substitute address for a domestic violence victim who would like his or her residence or delivery address to remain confidential.

(Police officer regulations are placed under Diversion/Prevention.)