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## FISCAL IMPACT REPORT

SPONSOR: Gorham DATE TYPED: 02/07/03 HB \_\_\_\_\_

SHORT TITLE: “Criminal Offense” in Victims of Crime Act SB 339

ANALYST: Fox-Young

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
			\$0.1 Unknown	Recurring	

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

Responses Received From

Administrative Office of the Courts (AOC)  
 Attorney General (AG)  
 Administrative Office of the District Attorneys (AODA)

No Response

Public Defender Department (PDD)

### SUMMARY

Synopsis of Bill

Senate Bill 339 amends Section 31-26-3 NMSA 1978 (the Victims of Crime Act) to include aggravated assault against a household member, assault against a household member, battery against a household member, and aggravated battery against a household member within the definition of “criminal offense” for purposes of the Victims of Crime Act.

Significant Issues

Under current law, domestic violence offenses may be prosecuted as assault, aggravated assault, battery, and aggravated battery. The Attorney General (AG) notes that this bill clarifies the Legislature's intent to include domestic violence offenses within the definition of criminal offenses in the Victims of Crime Act.

The Administrative Office of the District Attorneys (AODA) notes that current law requires law enforcement officials to notify victims of domestic violence when an offender is released from jail, but currently there are no provisions to notify domestic violence victims when an offender is going before the Parole Board, being released on parole or unsupervised release, or when they escape. AODA reports that this bill would provide these victims with additional rights.

**FISCAL IMPLICATIONS**

Fiscal implications for the courts, district attorneys, PDD and CD could be significant if prosecution of domestic violence increases in the face of this amendment.

**JCF/njw**