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FISCAL IMPACT REPORT

ORIGINAL DATE 02/04/11

SPONSOR Chasey LAST UPDATED 02/17/11 HB 83/a HJC

SHORT TITLE Sex Offender Management Board Changes SB _____

ANALYST Wilson

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY11	FY12		
	(\$1.0)	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to Appropriation in the General Appropriation Act

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)
 Administrative Office of the District Attorneys (AODA)
 Attorney General's Office (AGO)
 Children, Youth & Families Department (CYFD)
 Corrections Department (CD)
 Department of Health (DOH)
 Indian Affairs Department (IAD)
 Public Education Department (PED)
 Sentencing Commission (SC)

SUMMARY

Synopsis of HJC Amendment

The House Judiciary Committee amendment requires that the representative appointed to the Sex Offender Management Board by the governor from an organization that advocates on behalf of registered sex offenders and their families may not be a registered sex offender.

Synopsis of Original Bill

House Bill 83 proposes the following changes to the enabling legislation for the Sex Offender Management Board (SOMB):

- Adding an additional member to the SOMB, who will be a representative appointed by the Governor who is affiliated with an organization that advocates on behalf of registered sex offenders and their families;
- Reducing the number of full board meetings from eight meetings to four meetings per year; and
- Providing the SOMB with express statutory authority to recommend changes to laws regarding management, treatment and punishment of sex offenders.

FISCAL IMPLICATIONS

Reducing the number of Sex Offender Management Board meetings from eight to four annually will reduce per diem and travel costs. SC estimates a recurring annual savings of approximately \$1,000.00. The new representative will be the 17th member and will have a very minimal increase.

The SC estimates there will be \$1,000 savings as there will have only half the meetings.

There will be a minimal administrative cost for statewide update, distribution and documentation of statutory changes. Any additional fiscal impact on the judiciary would be proportional to the enforcement of this law and commenced prosecutions. 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. Efforts to quantify specific fiscal impact by case are underway, but specific information is not available at this time.

SIGNIFICANT ISSUES

DOH notes that adding a representative who is affiliated with an organization that advocates on behalf of registered sex offenders and their families will raise public concern.

CD is a member of the SOMB. The Secretary of CD or her designee and a representative from the Probation and Parole Division with expertise in supervising sex offenders are both members and voted in favor of the changes proposed by this bill.

CD provided the following:

Under current law, it is the SC which has the authority to make recommendations to the legislature regarding the management of sex offenders. Since the SOMB consists of members who generally have more experience and expertise in managing sex offenders than the average member of the SC, it makes sense to authorize the SOMB to make these recommendations. It also makes sense for sex offenders to have a direct voice on the SOMB. Several sex offender advocacy groups already consistently attend the SOMB meetings as members of the public.

RELATIONSHIP

HB 83 relates to HB 88. HB 88 extends the sunset date for the SOMB to July 1, 2016.

ALTERNATIVES

DOH suggests an amendment stipulating the representative cannot be a registered sex offender might alleviate concerns.

DW/bym