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FISCAL IMPACT REPORT

ORIGINAL DATE 01/27/12

SPONSOR James LAST UPDATED _____ HB 104

SHORT TITLE Additional Reasons for Amber Alerts SB _____

ANALYST Sánchez

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY12	FY13	FY14	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		NFI	NFI	NFI	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Public Safety (DPS)

SUMMARY

Synopsis of Bill

House Bill 104 amends 29-15A-3 NMSA 1978, State Police Amber Alert Notification Plan. The amendments will allow Law Enforcement to enact an Amber Alert in the event that a child is reported missing regardless if the abductor is the legal guardian or parent of the child. Current law only allows for Amber Alert's to be enacted if the abductor is not the guardian or legal parent of the child. Secondly, it will give Law Enforcement the autonomy to make the appropriate judgment call on an Amber Alert if the child is believed to be in imminent danger.

FISCAL IMPLICATIONS

The Department of Public Safety (DPS) report no major fiscal impact to it since the basic procedures and processes are currently in place.

SIGNIFICANT ISSUES

According to the DPS, Expanding Amber Alerts is becoming an accepted standard across the country. The surrounding states of Arizona, Colorado, Utah, California, Nevada and Oklahoma over time have done away with language pertaining "custodial abduction" or "family/non-family member. Texas has kept said language, but added a clause whereas if the child's parent or legal guardian is the abductor and has committed or attempted to commit an act of murder or

attempted murder during the time of the abduction, then officers may issue an Amber Alert. The National Center for Missing and Exploited Children has released resources for states that are considering expanding the Amber Alert programs. They understand that as the family relationships have evolved throughout the years, so has the need to expand the resources to find abducted children.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The appropriate and immediate dissemination of a missing child who falls under the amended criteria will not be able to be released to the public under the current version of NMSA 29-15A-3 et seq. Law Enforcements goal is bring every child home safely and expeditiously.

ABS/lj:amm:svb