

LFC Requester: \_\_\_\_\_

**AGENCY BILL ANALYSIS  
2024 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:**

**Analysis.nmlegis.gov**

*{Analysis must be uploaded as a PDF}*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

Check all that apply:

Original \_\_\_\_\_ Amendment \_\_\_\_\_  
Correction \_\_\_\_\_ Substitute X

Date Jan 18

Bill No: HB106s

Sponsor: Reps Reeb & Lord  
Short Fentanyl Exposure as Child  
Title: Abuse

Agency Name  
and Code CYFD / 690  
Number: \_\_\_\_\_  
Person Writing Julie Sakura  
Phone: 5054698806 Email Julie.sakura@cyfd.nm.gov

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
	500.0	Recurring	General

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		

(Parenthesis ( ) Indicate Expenditure Decreases)

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

	<b>FY24</b>	<b>FY25</b>	<b>FY26</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>						

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:  
Duplicates/Relates to Appropriation in the General Appropriation Act

**SECTION III: NARRATIVE**

**BILL SUMMARY**

Synopsis: This bill amends the Children’s Code to declare that evidence of a child being knowingly and intentionally exposed to fentanyl shall be considered prima facie evidence of child abuse.

The bill appropriates \$500.0 from the state general fund to the department of public safety for expenditure in state fiscal year 2025 to expand their investigation of child abuse and neglect cases to include cases involving fentanyl.

**FISCAL IMPLICATIONS**

This bill appropriates \$500.0 from the state general fund to the department of public safety for expenditure in state fiscal year 2025 with any unexpended or unencumbered amount reverting.

There is no appropriation contained in this bill for CYFD. At this time, CYFD cannot predict the potential fiscal implication to CYFD. However, an increase in criminal prosecution will have a concomitant increase in CFYD caseworker involvement in court cases and will likely increase the number of investigations needed to follow up on increased law enforcement investigations.

**SIGNIFICANT ISSUES**

CYFD anticipates that this bill will result in an increased rate of criminal prosecution of parents, guardians, or legal custodians for whom evidence exists that they have knowingly and intentionally exposed their child(ren) to fentanyl, thereby increasing the need for CYFD staff and additional resources.

**PERFORMANCE IMPLICATIONS**

CYFD’s performance measures concerning permanency (e.g., reunification or adoption) will be affected by this bill.

**ADMINISTRATIVE IMPLICATIONS**

Administrative implications due to an increase in CYFD caseworker involvement in court cases and investigations will need to be considered.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

None identified.

**TECHNICAL ISSUES**

None identified.

**OTHER SUBSTANTIVE ISSUES**

None identified.

**ALTERNATIVES**

None proposed.

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Status quo.

**AMENDMENTS**

None proposed.