

LFC Requester:	Austin Davidson
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**AGENCY BILL ANALYSIS
2024 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

DFA@STATE.NM.US

{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

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** _____

Date 1/18/2024
Bill No: HB110

Sponsor: Rep. John Block
Short Title: LIMIT CERTAIN ABORTIONS

Agency Name and Code HCA-630
Number: _____
Person Writing _____
Phone: _____ **Email** _____

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
0.00	0.00	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
0.00	0.00	0.00	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	0.00	0.00	0.00	0.00	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:

Relates to 2023 House Bills 7, 258, 438, 441, 468, 511 and 512; Senate Bill 13

Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

House Bill 110 amends Section 31-18-15 NMSA 1978 by adding the crime of “third degree felony resulting in the death of a human fetus” with a potential sentence of five years imprisonment.

HB110 also adds a new section to the New Mexico Criminal Code by imposing penalties for certain abortions performed. Specifically, a “health care provider who knowingly performs an abortion and thereby kills a human fetus without determining, according to standard medical practice, whether the fetus has a detectable heartbeat; without informing the pregnant woman of the results of that determination; or after determining, according to standard medical practice, that the fetus has a heartbeat is guilty of a third degree felony resulting in the death of a human fetus.”

HB110, if passed and signed, exposes health care providers to up to five (5) years in prison for providing a woman with an abortion.

FISCAL IMPLICATIONS

There is no appropriation in HB110. There are no fiscal implications for the Health Care Authority.

SIGNIFICANT ISSUES

Constitutional issues pursuant to the New Mexico Constitution and a woman’s autonomy, bodily integrity and right to choose.

PERFORMANCE IMPLICATIONS

None noted.

ADMINISTRATIVE IMPLICATIONS

None noted.

No IT impact.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

HB110 relates to the following 2023 bills:

- HB7, Reproductive and Gender-Affirming Health Care;

- HB258, Crime of Providing Abortions;
- HB438, Parental Notification of Abortion Act;
- HB441, Medical Care for All Infants Born Alive;
- HB468, Born Alive Act;
- HB511, Standards of Women’s Health Care;
- HB513, Abortion Clinic Licensing; and
- SB13, Reproductive Health Provider Protections.

TECHNICAL ISSUES

Standard medical practice could vary across different sources and would depend.

OTHER SUBSTANTIVE ISSUES

The American College of Obstetrics and Gynecology (ACOG), the leading professional organization for obstetricians, “AGOC strongly opposes any effort that impedes access to abortion care and interferes in the relationship between a person and their healthcare professional.”

<https://www.acog.org/clinical-information/policy-and-position-statements/statements-of-policy/2022/abortion-policy>

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo

AMENDMENTS

No know amendments.