

<b>LFC Requester:</b>	<b>Scott Sanchez</b>
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**AGENCY BILL ANALYSIS  
2024 REGULAR SESSION**

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

**AgencyAnalysis.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**   

**Date** 01/23/2024  
**Bill No:** HB198

<b>Sponsor:</b> <u>Dayan Hochman-Vigil</u>	<b>Agency Name and Code</b>
<b>Short Title:</b> <u>Felon in Possession or Firearm Penalty</u>	<b>Number:</b> <u>770 - NMCD</u>
	<b>Person Writing</b> <u>Anisa Griego-Quintana</u>
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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
0	0	N/A	N/A

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
0	0	0	N/A	N/A

(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>	NFI	NFI	NFI	NFI	N/A	N/A

(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: Increases the penalty for a felon and a serious violent felon found in possession of a firearm. Provides that a person convicted of possession of a firearm or destructive device is not eligible for earned meritorious deductions.

Makes it a second-degree felony for a felon found in possession of a firearm (up from a third-degree felony) and shall be sentenced to a minimum term of nine years imprisonment. A person convicted under this section (30-7-16) is not eligible for earned meritorious deductions provided under Sec. 33-2-34.

**FISCAL IMPLICATIONS**

None for the Corrections Department.

**SIGNIFICANT ISSUES**

None for the Corrections Department.

**PERFORMANCE IMPLICATIONS**

None for the Corrections Department.

**ADMINISTRATIVE IMPLICATIONS**

None for the Corrections Department.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

None for the Corrections Department.

**TECHNICAL ISSUES**

None for the Corrections Department.

**OTHER SUBSTANTIVE ISSUES**

None for the Corrections Department.

### **ALTERNATIVES**

None proposed by the Corrections Department.

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

Status quo.

### **AMENDMENTS**

None proposed by the Corrections Department.