

LFC Requester: Scott Sanchez

AGENCY BILL ANALYSIS
2024 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

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{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 31 JAN 24

Bill No: HB 282

Sponsor: Meredith A. Dixon; Marian Matthews
Short Title: Sex Offender Registration and Federal Law

Agency Name and Code: 790-Department of Public Safety
Number:
Person Writing: Jessica Ochoa Arballo
Phone: 505-365-3084 Email: Jessica.Arballo@dps.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
\$0.0	\$0.0		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
\$0.0	\$0.0	\$0.0		

(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	\$0.0	\$171.5	\$168.0	\$339.5	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: None.
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Amends the Sex Offender Registration and Notification Act (“SORNA”) to comply with federal law, specifically the Adam Walsh Child Protection and Safety Act of 2006.

Because New Mexico is currently not in compliance with the federal Adam Walsh Act, our state has lost \$1.2 million since 2012—approximately \$100K per year—as a result of an annual 10% reduction in New Mexico’s receipt of money from the Edward Byrne Memorial Justice Assistance Grant. The US Department of Justice has indicated that the changes reflected in HB 282 would bring New Mexico into compliance and thereby end New Mexico’s annual 10% grant penalty.

The bill calls for enhanced registration and verification requirements for sex offenders and juvenile sex offenders. Adds definitions for “juvenile sex offender” and “sexually violent offense”; amends definition of “sex offender” and “sex offense”; and specifies three tiers of sex offenses.

FISCAL IMPLICATIONS

DPS’ Law Enforcement Records Bureau anticipates increased resource needs to effectuate these important amendments to SORNA. Three (3) existing Management Analyst positions will need to be reclassified to Program Coordinator I positions to reflect the increase in job duty responsibilities, and the need for one (1) new Program Coordinator II position to supervise these positions, is also needed to accommodate the enhanced registration and verification requirements for sex offenders and juvenile sex offenders. The total projected recurring cost of these three (3) reclassifications and creation of the new Program Coordinator II position is \$171,500 in FY 2025 and \$168,000 in FY 2026 and future years.

SIGNIFICANT ISSUES

There are no significant issues to DPS.

PERFORMANCE IMPLICATIONS

There are no significant issues to DPS.

ADMINISTRATIVE IMPLICATIONS

The proposed tier system will require additional resources to accommodate the volume of corrections to offender registrations as they relate to lifetime registrants, namely Tier 1 or Tier 2, under the Exploitation of children, modifying the registration requirement to a 15- or 25-year duration, respectively. Modification to the current computerized systems would incur software systems and potentially contractual costs to reflect and mirror changes. The volume of corrections

needed, future and retroactive, will require additional resources.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

No technical issues to DPS.

OTHER SUBSTANTIVE ISSUES

No other substantive issues to DPS.

ALTERNATIVES

Not applicable as no impact to DPS.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo will remain.

AMENDMENTS

None at this time.