

LFC Requester:**Scott Sanchez**

**AGENCY BILL ANALYSIS
2024 REGULAR SESSION**

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 X **Amendment** _____
Correction _____ **Substitute** _____

Date Prepared: 01/23/24 **Bill No:** SB 154 **Sponsor:** David M. Gallegos **Agency Name and Code Number:** 305 – New Mexico
Department of Justice **Short Title:** Amendments to Sexual
Assault Survivor’s Bill of
Rights **Person Writing Analysis:** AAG Brian Moffatt **Phone:** 505-537-7676 **Email:** legisfir@nmag.gov **SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		

(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)

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

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

SECTION III: NARRATIVE

This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator’s request. The analysis does not represent any official policy or legal position of the NM Department of Justice.

BILL SUMMARY

Synopsis: The proposed bill would expand sexual assault survivors’ rights by providing specific required timelines for providing and forensically analyzing sexual assault examination kits; enabling survivors to access the mandatory examination kit tracking system; ensuring that the survivor’s contact information will be maintained and updated so the system does not lose track of them; and providing notifications of DNA matches.

FISCAL IMPLICATIONS

None.

SIGNIFICANT ISSUES

None noted.

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None noted.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

The 30-day timeline for sending the kit for testing under subsection C(1) is confusing when read in conjunction with subsection C(4) which provides for a 180-day timeline for sending the kit for testing.

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS