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**LEGISLATIVE EDUCATION STUDY COMMITTEE**  
**BILL ANALYSIS**  
**57th Legislature, 1st Session, 2025**

<b>Bill Number</b>	<u>SB18/SJCS</u>	<b>Sponsor</b>	<u>SJC</u>
<b>Tracking Number</b>	<u>.231263.2</u>	<b>Committee Referrals</b>	<u>SJC/SFC</u>
<b>Short Title</b>	<u>Crime of Swatting</u>		
<b>Analyst</b>	<u>Hicks</u>	<b>Original Date</b>	<u>3/4/2025</u>
		<b>Last Updated</b>	<u></u>

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## BILL SUMMARY

### Synopsis of Bill

The Senate Judiciary Committee Substitute for Senate Bill 18 (SB18/SJCS) would amend Section 30-39-1 NMSA 1978 to designate swatting as a fourth degree felony offense under the false reporting section of the Criminal Code. SB18/SJCS would make it unlawful for a person to knowingly make a false or misleading report to a public safety agency of an ongoing emergency or threat of violence with the intent to provoke a response from the agency. SB18/SJCS would also define a public safety agency that may be impacted by a swatting incident. In practice, this change would institute criminal penalties for anyone who commits an act of swatting on a kindergarten through 12th grade (K-12) school in New Mexico, in addition to other contexts.

## FISCAL IMPACT

SB18/SJCS does not contain an appropriation.

LESC analysis focuses primarily on the impact of bills on K-12 education. SB18/SJCS would likely impact agencies like the New Mexico Corrections Department (NMCD), local law enforcement and other public safety entities, and the New Mexico Courts, but this analysis will not discuss these impacts further.

Should stronger criminal penalties result in fewer swatting events, schools may see reduced costs associated with responding to these incidents.

## SUBSTANTIVE ISSUES

**Swatting.** SB18/SJCS would define swatting as “knowingly making a false or misleading report to a public safety agency of an ongoing emergency or threat of violence with the intent to cause an immediate response from a public safety agency.” Swatting is not currently defined in New Mexico’s Criminal Code, though there are criminal penalties for making a false police report (a misdemeanor offense).

Swatting is not specifically classified as a criminal offense by either state or federal law, making tracking of incidents difficult. In 2023, the Federal Bureau of Investigation (FBI) [reported launching](#) a database (known as the National Common Operational Picture Virtual Command Center) to track swatting incidents. This database is only available to [law enforcement agencies](#), though the FBI has [reported](#) over 400 swatting incidents since May 1, 2023. Prior to this action, no central agency tracked swatting incidents.

According to the [K-12 School Shooting Database](#), a cross-referenced database tracking school shooting incidents from 1966 to the present, there were 774 school swatting incidents across the United States between January 2023 and February 2024. Swatting incidents disrupt school operations, can have a traumatic impact on students and school staff, and divert public safety resources from emergencies. TDR Technology Solutions, a company tracking the monetary cost of school safety threats, [reports](#) an average of 780 schools in the U.S. were impacted by swatting per month in the 2023-2024 school year, resulting in approximately 656.4 thousand lost instructional hours per month nationwide. The cost of a swatting incident can vary significantly, with a 2015 incident in Rochester, New York, costing law enforcement around \$15 thousand and another on Long Island, New York, costing \$100 thousand. A 2023 [report](#) from Washington state counted 56 swatting incidents in the previous year with a total cost of nearly \$1.3 million. Around 58 thousand students were impacted by these incidents.

**Public Safety Agency.** SB18/SJCS amends Section 30-39-1 NMSA 1978 to define a “public safety agency” as a law enforcement, firefighting, or emergency medical services agency or a twenty-four-hour local communications facility that receives 911 service communications and directly dispatches emergency response services or relays communications to law enforcement, firefighting or emergency medical services agencies.

**Criminal Penalties.** For a fourth degree felony, New Mexico law sets the basic prison sentence at 18 months. At the court’s discretion, an additional fine of up to \$5,000 may also be imposed.

## ADMINISTRATIVE IMPLICATIONS

Administrative impacts for K-12 entities are likely to be limited. According to the Law Offices of the Public Defender (LOPD), Administrative Office of the Courts (AOC), and the Administrative Office of the District Attorneys (AODA), SB18/SJCS would likely have administrative implications for their respective agencies.

## OTHER SIGNIFICANT ISSUES

In both the 2023 and 2024 legislative sessions, [Senate Bill 513](#) and [Senate Bill 66](#), respectively, were introduced to designate swatting as an unlawful act, but the legislation did not pass in either session.

## RELATED BILLS

Related to House Bill 31, Fourth Degree Felony for Shooting Threat, which would also make committing a shooting threat a fourth degree felony offense.

## SOURCES OF INFORMATION

- LESC Files
- LFC Files

- New Mexico Sentencing Commission (NMSC)
- Children, Youth, and Families Department (CYFD)
- New Mexico Department of Justice (NMDOJ)
- Law Offices of the Public Defender (LOPD)
- Administrative Office of the Courts (AOC)
- Administrative Office of the District Attorneys (AODA)
- Department of Public Safety (DPS)

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