

LFC Requester:	
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## AGENCY BILL ANALYSIS - 2026 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO  
[AgencyAnalysis.nmlegis.gov](https://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto:billanalysis@dfa.nm.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}

Date Prepared: \_\_\_\_\_ Check all that apply:  
Bill Number: HB025 Original ☒ Correction ☐  
Amendment ☐ Substitute ☐

Sponsor:	<u>K Cates</u>	Agency Name and Code	<u>CYFD - 690</u>
Short Title:	<u>JUVENILE FIREARM USE AND BACKGROUND CHECKS</u>	Number:	_____
		Person Writing	<u>Kathleen Hardy</u>
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### SECTION II: FISCAL IMPACT

#### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		

#### REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		

(Parenthesis ( ) indicate revenue decreases)

#### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY26	FY27	FY28	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**

### **BILL SUMMARY**

This bill amends NMSA 1978, § 30-7-16 to prohibit adults who, as juveniles, were subject to a juvenile disposition for a delinquent act involving a firearm which would be felony if committed by an adult from possessing a firearm or destructive device, unless ten years have passed since the juvenile disposition or the person has been pardoned.

This bill further amends NMSA 1978, § 32A-2-26 to direct that the court record of a juvenile disposition involving the use of a firearm which would be a felony if committed by an adult be transmitted to the National Instant Criminal Background Check System (i.e., the FBI) and made available to state and local law enforcement agencies for the specific purpose of determining if the individual is in violation of NMSA 1978, § 30-7-16.

Finally, this bill amends NMSA 1978 § 32A-2-18 to require that such a juvenile disposition be considered a conviction of a crime punishable by imprisonment exceeding one year for the purpose of the federal Gun Control Act of 1968 for a period of ten years following the disposition, regardless of whether the judgment results in an adult sentence—meaning that the person would be also be prohibited under federal law from possessing a firearm or destructive device.

### **FISCAL IMPLICATIONS**

There is no appropriation contained within this bill. CYFD does not anticipate any fiscal implications to the agency at this time.

### **SIGNIFICANT ISSUES**

Current CYFD Juvenile Justice data reflects that in FY23 there were 168 firearm related referrals for offenses, FY24 data shows 249 firearm related referrals for offenses, and FY25 data shows 102 firearm related referrals for offenses. CYFD strongly supports this legislation as a critical step in safeguarding public safety while preserving the core principles of juvenile rehabilitation. By allowing limited access to sealed juvenile delinquency records for the purpose of firearm background checks, the bill achieves a necessary balance between the confidentiality of juvenile records and the protection of our communities.

While the judiciary primarily houses sealed records, the Departments' existing statutory authority ensures that certain records are already maintained with strict confidentiality. Adults with juvenile dispositions involving the use of a firearm will be prohibited from receiving, transporting, or possessing firearms or destructive devices. This restriction aligns with public safety goals while recognizing the need for tailored measures for juveniles' transition to adulthood. By supporting this bill, CYFD reaffirms its commitment to fostering safer communities while upholding its mission to promote positive outcomes for children and families.

### **PERFORMANCE IMPLICATIONS**

None identified.

### **ADMINISTRATIVE IMPLICATIONS**

None identified.

### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

None identified.

**TECHNICAL ISSUES**

None identified.

**OTHER SUBSTANTIVE ISSUES**

None identified.

**ALTERNATIVES**

None identified.

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

Status quo.

**AMENDMENTS**

None recommended.