

LFC Requester:

Scott Sanchez

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*****(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:** 01/20/2026*Check all that apply:***Bill Number:** HB46Original X ☐ Correction ☐Amendment ☐ Substitute ☐**Sponsor:** Kathleen Cates & John Block
Short Title: Crime of Digital Sabotage of a Business**Agency Name
and Code****Number:**770-NMCD**Person Writing**A. Griego Quintana**Phone:** 505-479-2296**Email** anisa.griego-quinta@cdnm.gov**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
0	0	N/A	N/A

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
0	0	0	N/A	N/A

(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	0	0	0	0	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: House Bill 46 amends the Computer Crimes Act and creates the crime of digital sabotage of a business, defined as using a business's digital resource to provide false or misleading information, damage the functioning of a digital resource or the business, or redirect a potential customer searching for the business to a different network location. Penalties range from a second degree felony down to a petty misdemeanor, depending on the amount of damages.

Penalties:

- Petty misdemeanor when damage is \$250 or less
- Misdemeanor when damage is greater than \$250 but less than \$500
- Fourth degree felony when damage is greater than \$500 but less than \$2,500
- Fourth degree felony when damage is less than \$500 if within the previous 10 years the person has incurred two prior misdemeanor or petty misdemeanor convictions for digital sabotage
- Fourth degree felony if a person commits three or more separate offenses that each cause damage of \$500 or less within a 10-year period
- Third degree felony when damage is greater than \$2,500 but less than \$20,000
- Second degree felony when damage is greater than \$20,000.

FISCAL IMPLICATIONS

The bill may result in a limited increase in individuals sentenced to incarceration or community supervision for the new offense, however it is not expected to have a fiscal impact on the Department, as associated costs would be absorbed within existing resources.

SIGNIFICANT ISSUES

None

PERFORMANCE IMPLICATIONS

None

ADMINISTRATIVE IMPLICATIONS

None

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None

TECHNICAL ISSUES

None

OTHER SUBSTANTIVE ISSUES

None

ALTERNATIVES

None

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None

AMENDMENTS

None