

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](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:** 21 January 2026*Check all that apply:***Bill Number:** HB 52Original ☒ Correction ☐Amendment ☐ Substitute ☐**Sponsor:** Reeb**Short** Criminal Competency Statute**Title:** Cross-References**Agency Name  
and Code**New Mexico Sentencing  
Commission (354)**Number:****Person Writing** Douglas Carver**Phone:** 505-239-8362 **Email** dhmcarter@unm.edu**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
<b>Total</b>						

(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:**

HB 52 makes a variety of conforming amendments required by changes in the 2025 Legislative Session to the earned meritorious deductions statute, Section 33-2-34 NMSA 1978. Eight sections of law need to amend the subsection for the definition of serious violent offense now found at Section 33-2-34(N)(4). Additionally, there is one section of law where a reference to the subsection regarding lump sum meritorious deductions, now at Section 33-2-34(F) needs to be fixed.

The following eight sections of law are being amended to correctly refer to Section 33-2-34(N):

- Section 30-7-16 NMSA 1978, regarding receipt, transportation, or possession of firearms or destructive devices.
- Section 31-3-12 NMSA 1978, regarding the availability of GPS system data on defendants on pretrial release.
- Section 31-9-1.2 NMSA 1978, regarding determination of competency and commitment.
- Section 31-9-1.4 NMSA 1978, regarding determination of competency for incompetent defendants.
- Section 31-9-1.5 NMSA 1978, regarding evidentiary hearings for determination of competency
- Section 31-9-1.6 NMSA 1978, regarding hearings to determine developmental or intellectual disability in competency proceedings.
- Section 31-18-16 NMSA 1978, regarding alteration of basic sentences for use, brandishing, or discharge of a firearm.
- Section 33-2A-3 NMSA 1978, the definitions section of the Corrections Population Control Act.

The following section of law is being amended to correctly refer to Section 33-2-34(F):

- Section 33-11-3 NMSA, the regulations section of the Inmate Literacy Act.

#### **FISCAL IMPLICATIONS**

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

#### **SIGNIFICANT ISSUES**

As there are no substantive changes to law in HB 52, the NMSC has no significant issues to flag.

#### **PERFORMANCE IMPLICATIONS**

**ADMINISTRATIVE IMPLICATIONS**

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

**TECHNICAL ISSUES**

**OTHER SUBSTANTIVE ISSUES**

**ALTERNATIVES**

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

**AMENDMENTS**