

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:** HB52Original X ☐ Correction ☐Amendment ☐ Substitute ☐**Sponsor:** Andrea Reeb**Short** Criminal Competency Statute**Title:** Cross References**Agency Name
and Code**770- NMCD**Number:****Person Writing** A. Griego Quintana**Phone:** 505-479-2296 **Email** Anisa.griego-quinta@cd.nm.gov**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	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 52 is a technical statutory reconciliation bill that updates cross-references to Sec. 33-2-34 of the Criminal Code. The bill makes no substantive changes to existing law and updates references to such terms as “serious violent offense” and “felon” to match the current subsection numbering in Sec. 33-2-34, as amended in 2025.

House Bill 52 introduces reconciliatory language for the following statutes that references Sec. 33-2-34:

- The definition of “serious violent felon” in the felon-in-possession statute (Section 30-7-16) is reconciled with the correct subsection of the enumerated offenses in Section 33-2-34.
- The pretrial GPS-data access statute (Section 31-3-12), specifically the “serious violent felony offense” references is reconciled with the correct subsection of Section 33-2-34.
- The competency/dangerousness and criminal commitment statutes (Sections 31-9-1.2, 31-9-1.4, 31-9-1.5, and 31-9-1.6) is reconciled with the correct subsection of “serious violent offense” in Section 33-2-34.
- The firearm sentence enhancement statute (Section 31-18-16) definition of “serious violent offense” is reconciled with the correct subsection in Section 33-2-34.
- The Corrections Population Control Act definition of “nonviolent offense/offender” (Section 33-2A-3) is reconciled with the correct subsection in Section 33-2-34. The pronoun his is also removed from subsection D, paragraphs 2 and is to changed to gender neutral language.
- The Inmate Literacy Act penalty provision (Section 33-11-3) is reconciled with the correct subsection in Section 33-2-34.
- Makes conforming edits that appear intended to align statutory cross-references after 2025 amendments that re-lettered or re-numbered portions of Section 33-2-34.

FISCAL IMPLICATIONS

The changes will not have a fiscal impact on the Department.

SIGNIFICANT ISSUES

None.

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None

AMENDMENTS

None