

LFC Requester:	Jacobs, Henry
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AGENCY BILL ANALYSIS - 2026 REGULAR SESSION

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: 1/20/2026

Check all that apply:

Bill Number: HB59

Original X Correction
Amendment Substitute

Sponsor: Rep. Andrea Reeb

Agency Name and Code Number: 305 – New Mexico
Department of Justice

Person Writing

Analysis: Lee Green

Short Title: INCREASE PENALTY FOR
CERTAIN DEATHS

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		

(Parenthesis () indicate expenditure decreases)

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

This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator's request. The analysis does not represent any official policy or legal position of the NM Department of Justice.

BILL SUMMARY

Synopsis: HB59 seeks to increase the penalty for a second-degree felony resulting in the death of a human being from 18 to 25 years of imprisonment.

FISCAL IMPLICATIONS

None of note.

SIGNIFICANT ISSUES

First-degree non-capital felonies also have an 18-year penalty. If the penalty for second-degree offenses resulting in death increases to 25 years, then those second-degree offenses would have a longer sentence than a first-degree offense. A “less culpable” homicide would receive a higher basic sentence than first-degree non-capital felonies (e.g., CSP, kidnapping, second conviction for trafficking controlled substances). If this is not the desired effect, consider revising to reconcile these different basic sentences.

PERFORMANCE IMPLICATIONS

None noted.

ADMINISTRATIVE IMPLICATIONS

None noted.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

No known bills.

TECHNICAL ISSUES

None noted.

OTHER SUBSTANTIVE ISSUES

None noted.

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo

AMENDMENTS