

<b>LFC Requester:</b>	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  Correction   
Amendment  Substitute

**Sponsor:** Rep. Andrea Reeb

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

**Short Title:** INCREASE PENALTY FOR CERTAIN DEATHS

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### **SECTION II: FISCAL IMPACT**

#### **APPROPRIATION (dollars in thousands)**

<b>Appropriation</b>		<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>FY26</b>	<b>FY27</b>		

(Parenthesis ( ) indicate expenditure decreases)

#### **REVENUE (dollars in thousands)**

<b>Estimated Revenue</b>			<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>FY26</b>	<b>FY27</b>	<b>FY28</b>		

(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**

*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**