

<b>LFC Requester:</b>	<b>Henry Jacobs</b>
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## AGENCY BILL ANALYSIS – 2026 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:** 20 Jan 2026 *Check all that apply:*  
**Bill Number:** HB 59 Original ☒ Correction ☐  
Amendment ☐ Substitute ☐

**Sponsor:** Andrea Reebe **Agency Name and Code**  
**Short** Increase Penalty for Certain Deaths **Number:** 790 – Department of Public Safety  
**Person Writing** Randy Larcher  
**Phone:** 575-386-7712 **Email:** Randyt.larcher@dps.nm.gov

### SECTION II: FISCAL IMPACT

#### APPROPRIATION (dollars in thousands)

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

(Parenthesis ( ) indicate expenditure decreases)

#### REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
NFI	NFI	NFI	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
<b>Total</b>	NFI	NFI	NFI	NFI	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: Amends existing criminal law in New Mexico (31-18-15) to increase the penalty for a second-degree felony that results in a person's death, from 18 years imprisonment to 25 years imprisonment. In other words, if someone commits a qualifying felony and that felony causes a death, the punishment would be made more severe under state statute.

#### **FISCAL IMPLICATIONS**

No fiscal implications to DPS.

#### **SIGNIFICANT ISSUES**

No significant issues for DPS.

#### **PERFORMANCE IMPLICATIONS**

This amendment meaningfully strengthens New Mexico's criminal statutes by enhancing the penalty for second-degree felonies that result in the death of another person, as outlined in Section 31-18-15 NMSA 1978. Under current law, the basic sentence for such an offense is 18 years imprisonment. The proposed amendment increases the basic sentence to 25 years, more accurately reflecting the grave and serious harm caused when felony conduct directly results in the loss of human life.

Increasing the penalty underscores the seriousness of these offenses and affirms the State's commitment to protecting public safety and valuing human life. The amendment promotes greater accountability for offenders whose actions lead to fatal outcomes and ensures that sentencing more appropriately corresponds to the severity of the crime and its consequences. By aligning punishment with the magnitude of harm inflicted, this change strengthens deterrence, supports justice for victims and their families, and enhances public confidence in New Mexico's criminal justice system.

#### **ADMINISTRATIVE IMPLICATIONS**

No administrative implications for DPS.

#### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

No conflict, duplications, companionship, relationships to DPS.

#### **TECHNICAL ISSUES**

No technical issues to DPS.

#### **OTHER SUBSTANTIVE ISSUES**

No other substantive issues.

#### **ALTERNATIVES**

No alternatives for DPS.

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

Status Quo Will Remain

#### **AMENDMENTS**

None at this time.