

<b>LFC Requester:</b>
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**AGENCY BILL ANALYSIS  
2026 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:**

**AgencyAnalysis.nmlegis.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}*

*Check all that apply:*

Original  Amendment \_\_\_\_\_  
Correction  Substitute \_\_\_\_\_

**Date** Jan. 21, 2026

**Bill No:** HB 60-260

**Sponsor:** Nicole Chavez, Andrea Reeb,  
William A. Hall II.

**Agency Name  
and Code  
Number:**

LOPD-280

**Short Title:** Certain Criminal Offense  
Definitions

**Person Writing**

Steven J. Forsberg

**Email** [Steven.forsberg@lopdn.m.us](mailto:Steven.forsberg@lopdn.m.us)

**Phone:** 505-796-4405 :

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

<b>Appropriation</b>		<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>FY25</b>	<b>FY26</b>		

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

<b>Estimated Revenue</b>			<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>FY25</b>	<b>FY26</b>	<b>FY27</b>		

(Parenthesis ( ) Indicate Expenditure Decreases)

### **ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY25	FY26	FY27	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: The bill would add four crimes to those defined as “criminal offenses” under the Victims of Crime Act (NMSA section 31-26-3). The four added crimes are “aggravated assault upon a peace officer,” “assault with intent to commit a violent felony upon a peace officer,” “Battery upon a peace officer,” and “aggravated battery upon a peace officer.”

#### **FISCAL IMPLICATIONS**

Minimal for LOPD directly – the designation of a crime as one within the Victims of Crime Act does not usually impact the criminal defense of a defendant. Where the police officer victims have input on charging decisions, however, it may incentivize adding such charges, leading to an increase in the volume of cases involving these charges. While the LOPD would likely be able to absorb some cases under the proposed law, any increase in the number of prosecutions brought about by the cumulative effect of this and all other proposed criminal legislation would bring a concomitant need for an increase in indigent defense funding to maintain compliance with constitutional mandates.

The bill also may increase resource demands for prosecutors and probation/parole (who would face heightened obligations under the Act).

#### **SIGNIFICANT ISSUES**

It is unclear precisely what this bill intends to change. Much of the Victims Rights Act (VRA) has not been substantially litigated, and its precise effects are hard to gauge, making it unclear what effects this change might have. For example, presumably the notice to victims’ sections of the VRA would now apply to these crimes. It is unclear, however, whether a claim will be made the officer/victim’s right to “attend all public court proceedings the accused has the right to attend” (NMSA sec. 31-26-4(E)) might trump existing rules regarding segregation of witnesses, etc. Such a claim would probably result in litigation.

Furthermore, as noted above, where peace officer-victims are often involved in charging decisions, their eligibility for reparations under the VRA could theoretically create an incentive to charge crimes so that an officer could receive compensation in their capacity as a victim.

## **PERFORMANCE IMPLICATIONS**

None.

## **ADMINISTRATIVE IMPLICATIONS**

None.

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

None.

## **TECHNICAL ISSUES**

Analyst is unaware whether this legislation is germane under Art. IV, Section 5. It is not a budget bill and analyst is unaware that it has been drawn pursuant to a special message of the Governor.

## **OTHER SUBSTANTIVE ISSUES**

**None.**

## **ALTERNATIVES**

None.

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

Status quo.

## **AMENDMENTS**

None.