

**AGENCY BILL ANALYSIS - 2026 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**  
**[AgencyAnalysis.nmlegis.gov](mailto:AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto:billanalysis@dfa.nm.gov)**  
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**SECTION I: GENERAL INFORMATION**

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

**Date Prepared:** January 20, 2026

*Check all that apply:*

**Bill Number:** HB 61

Original  Correction

Amendment  Substitute

**Sponsor:** Andrea Reeb and William A. Hall II and Nicole Chavez  
**Short Title:** Aggravated Battery on a Police Officer

<b>Agency Name and Code Number:</b>	<u>Administrative Office of the District Attorneys</u>
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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>		

**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)**

	<b>FY26</b>	<b>FY27</b>	<b>FY28</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<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:

Section 1 amends Section 30-22-25 entitled “Aggravated Battery upon a Peace Officer” to change references to “he” or “his” to the gender neutral “the officer[‘s].”

It also amends Subsection C to increase the penalty from a third-degree felony to a second-degree felony when the battery inflicts great bodily harm on the officer, is done with a deadly weapon, or is done in any manner whereby great bodily harm or death can be inflicted.

Section 2 provides the effective date of the bill to be July 1, 2026.

### **FISCAL IMPLICATIONS**

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

None for this agency.

### **SIGNIFICANT ISSUES**

This bill increases the penalty for aggravated battery on a peace officer from a basic sentence of three years to one of nine years. *See* Section 31-18-15(A). The crime requires an intent to injure a police officer while the officer is in the lawful discharge of duties and requires an infliction of great bodily harm, the use of a deadly weapon, or a manner in which great bodily harm or death can be inflicted.

Subsection B of the statute is unchanged and if the inflicted injury causes temporary disfigurement or temporary impairment, but not great bodily injury, the person is guilty of a fourth-degree felony with a basic sentence of eighteen months.

### **PERFORMANCE IMPLICATIONS**

None noted.

### **ADMINISTRATIVE IMPLICATIONS**

None noted.

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

Related – HB 60 amends the definition of “criminal offense” in the Victims of Crime Act to include crimes against peace officers, including Section 30-22-25.

### **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**

n/a