

LFC Requester:

Scott Sanchez

AGENCY BILL ANALYSIS - 2026 REGULAR SESSION**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO****[AgencyAnalysis.nmlegis.gov](https://agencyanalysis.nmlegis.gov) and email to 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:** January 20, 2026*Check all that apply:***Bill Number:** HB 61Original ☒ Correction ☐Amendment ☐ Substitute ☐**Sponsor:** Andrea Reeb and William A.
Hall II and Nicole Chavez**Agency Name
and Code**Administrative Office of the
District Attorneys**Short
Title:** Aggravated Battery on a Police
Officer**Number:****Person Writing**

M. Anne Kelly

Phone: 5052503302**Email** akelly@da.state.nm.us**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		

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

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