

LFC Requester:

Scott Sanchez

### 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:** HB 61

Original  Correction   
Amendment  Substitute

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

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

**Person Writing**

**Short Title:** HB 61 – Aggravated Battery  
on Police Officer

**Analysis:** Kerin Leche

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#### SECTION II: FISCAL IMPACT

##### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		

(Parenthesis ( ) indicate expenditure decreases)

##### 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
<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:

HB 61 proposes to increase the penalty for the crime of Aggravated Battery Upon A Peace Officer NMSA 1978 Section 30-22-25.

**Section 1:**

**Subsection A** edits language to remove the reference to “he” and replace it with the more inclusive reference of “the officer” when referring to the victim of the crime of Aggravated Battery Upon A Peace Officer.

**Subsection B** edits language to remove the word “which” and replace it with “that” making a grammatical edit but otherwise leaving the penalty for Aggravated Battery Upon A Peace Officer inflicting temporary disfigurement or temporary impairment as a fourth degree felony.

**Subsection C** increases the penalty for Aggravated Battery Upon A Peace Officer inflicting great bodily harm or with a deadly weapon from a third degree felony to a second degree felony. Therefore, the proposed edit removes “third” and replaces it with “second” to increase the penalty.

**Section 2** sets the effective date of the provisions of this act as July 1, 2026.

**FISCAL IMPLICATIONS**

None for this office.

**SIGNIFICANT ISSUES**

None apparent.

**PERFORMANCE IMPLICATIONS**

None apparent.

**ADMINISTRATIVE IMPLICATIONS**

None apparent.

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

HB 60 has a relationship to HB 61 in that HB 60 adds Aggravated Battery Upon A Peace Officer to the criminal offense definition under NMSA 1978 Section 31-26-3 for the purpose of the Victims of Crime Act.

## **TECHNICAL ISSUES**

None apparent.

## **OTHER SUBSTANTIVE ISSUES**

None apparent.

## **ALTERNATIVES**

None.

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

Status quo.

## **AMENDMENTS**