

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: 1/16/2026

Check all that apply:

Bill Number: HB 67

Original

Correction

Amendment

Substitute

Sponsor: Rep. Joy Garratt, Sen. Micaelita Debbie O'Malley

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

Short Title: RESTRANDING ORDERS & FIREARMS

Person Writing

Analysis: Jennifyr Vickery, AAG

Phone: 505-645-5980

Email: Fir.request@nmdoj.gov

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
Total						

(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: House Bill 67 Section 1 provides for amendments to NMSA 40-13-5 and seeks to require all orders of protection to require the restrained party to relinquish firearms and prevents possession or acquisition of firearms. The timeline for relinquishment is defaulted to immediate relinquishment of the firearms but allows the court to order an alternative time frame if deemed appropriate.

Section 2 provides necessary correlated amendments to NMSA 40-13-13 (the penalties portion of the act) to reflect that criminal liability attaches if the restrained party violates the order's specified timeline for relinquishment of the firearm under the default timeline of immediate relinquishment. Section 2 also provides amendments for general language clarity for other provisions of the act.

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.

SIGNIFICANT ISSUES

No significant issues identified within these amendments.

PERFORMANCE IMPLICATIONS

As for performance implications for the NMDOJ, for criminal prosecution, this legislation would clarify the language for prosecution of violation of possession of firearms by those restrained by a domestic violence restraining order. Additionally, this legislation would provide specific safeguards to protect the protected parties of domestic violence restraining orders to ensure that upon service of the restraining order, firearms are relinquished in compliance with the amendments to this act. Enacting this bill would help ensure that firearms are relinquished and prevent future acquisition of firearms by those restrained by the domestic violence restraining order, providing assurances for protection of victims of domestic violence.

ADMINISTRATIVE IMPLICATIONS

No noted administrative implications.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

No conflicts noted.

TECHNICAL ISSUES

No technical issues noted.

OTHER SUBSTANTIVE ISSUES

No substantive issues noted.

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo will be maintained.

AMENDMENTS