

LFC Requester:

Scott Sanchez

AGENCY BILL ANALYSIS - 2026 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

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: 01/26/2026

Check all that apply:

Bill Number: SB 94Original X Correction Amendment Substitute Sponsor: Antoinette Sedillo LopezShort Parole Requirement Changes

Title: _____

Agency Name
and CodeNew Mexico Adult Parole Board
760

Number:

Person Writing

Roberta CohenPhone: 505-386-6873Email Roberta.cohen@apb.nm.gov**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: Senate Bill 94 Relates to domestic violence sanctions. Adds to the list of domestic violence-related convictions that can lead to mandatory treatment or intervention, or that can lead to prison time if someone violates their probation following a suspended or deferred sentence.

The bill changes the sentencing laws for people convicted of violating an order of protection or committing one of six different crimes against someone with whom they live.

MANDATORY TREATMENT OR INTERVENTION. Existing law requires someone convicted of and sentenced for battery or aggravated battery against a household member to complete treatment or intervention programming approved by the state Children, Youth and Families Department (CYFD).

The bill expands this treatment or intervention requirement to include convictions for assault, aggravated assault, assault with intent to commit a violent felony, criminal damage to property, and three or more convictions of assault and/or battery against a household member.

Under the bill, CYFD would determine the treatment or intervention criteria through rulemaking.

PROBATION VIOLATIONS. The bill also increases the potential sanctions a judge can levy when someone convicted of domestic violence receives a suspended or deferred sentence and later violates a condition of their probation.

Under existing law, when a judge convicts someone of a crime other than a capital or first-degree felony, they can suspend or defer their sentence. When a judge suspends or defers a sentence, the law requires them to place the defendant on probation for at least part of the suspended or deferred sentence's duration. If someone violates a condition of their probation, the judge can sanction them.

Under existing law, if a defendant receives a suspended or deferred sentence for battery or aggravated battery against a household member, and they later violate probation, they could receive any sentence a judge could originally have imposed, and not receive credit for time served on probation.

The bill opens up this same possible punishment to people who violate probation stemming from a conviction for assault against a household member, aggravated assault against a household member, assault against a household member with intent to commit a violent felony, multiple battery or aggravated battery convictions, criminal damage to a household member's property or violation of a protection order.

FISCAL IMPLICATIONS

None for the Adult Parole Board but no appropriation is tied to the bill for funding of treatment.

SIGNIFICANT ISSUES

No significant issues for the Adult Parole Board

PERFORMANCE IMPLICATIONS

none

ADMINISTRATIVE IMPLICATIONS

Interagency Coordination

- Increased need for coordination among:
 - DOC institutions,
 - Probation and Parole Division,
 - CYFD-approved treatment providers,
 - Victim services.
- No funding or implementation guidance is provided for how parole-related treatment compliance is tracked post-release.

Data & Documentation

- The Board may need clearer documentation standards confirming:
 - Whether treatment was completed,
 - Whether non-completion was due to refusal vs. lack of program availability

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP The New Mexico Adult Parole Board has no conflict or duplication or relationship that would need to be cited or added.

TECHNICAL ISSUES

None for the Adult Parole Board but no appropriation is tied to the bill for funding of treatment.

OTHER SUBSTANTIVE ISSUES

none

ALTERNATIVES

none

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo

AMENDMENTS

none