

LFC Requester: \_\_\_\_\_

**AGENCY BILL ANALYSIS - 2026 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO  
[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto: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:** \_\_\_\_\_ *Check all that apply:*  
**Bill Number:** HB105 Original  Correction   
 Amendment  Substitute

**Sponsor:** A Reeb **Agency Name and Code** CYFD - 690  
**Short** CHILD OFFENDER **Number:** \_\_\_\_\_  
**Title:** COMMITMENT EXTENSIONS **Person Writing** Kathleen Hardy  
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**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
<b>Total</b>		4,935.0	4,935.0	14,805.0	Recurring	General

(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: This bill expands the scope of juvenile justice to cover young adults up to the age of 25 years, and amends statute to grant the courts full discretion over the period of probation or commitment served.

### **FISCAL IMPLICATIONS**

There are no appropriations contained within this bill.

The current juvenile justice population served by CYFD consists of youth under 18 years of age and young adults up to age 21. While it is unclear exactly how many youth would be affected by this expansion, a ten percent (10%) increase in service population and concomitant increase in CYFD juvenile justice staff will cost \$3,375.0 annually. This bill will require facility expansion to accommodate additional young adults while maintaining the federally required sight-and-sound separation of young adults from youth, which will require an initial facility investment plus an additional minimum annual outlay of at least \$1,560.0 per eight beds.

### **SIGNIFICANT ISSUES**

This bill amends NMSA 1978 §32A-2-19 and §32A-2-23 to eliminate the current commitment structure which consists of (a) a short-term commitment of one year, (b) a long-term commitment of no more than two years, (c) a youthful offender commitment of up to 21 years, and (b) probation under those conditions and limitations. The bill also eliminates the mandatory supervised release requirements for short- and long-term commitments, and the supervised release extension and commitment provisions. In place of this structure, this bill vests sentencing discretion in its entirety in the court, with no guideline or limit, up to the age of 25 years.

### **PERFORMANCE IMPLICATIONS**

CYFD has performance measures concerning staffing and youth safety that could be impacted without adequate funding for the bill.

### **ADMINISTRATIVE IMPLICATIONS**

CYFD will require additional resources in order to adequately address the administrative requirements that will result from the increased service population, including new client programming, additional employee training, expanded contractual outlay, expanded health and behavioral health services, and additional educational and vocational services.

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

None identified.

### **TECHNICAL ISSUES**

This bill does not amend NMSA 1978 §32A-2-32.1, which grants CYFD exclusive jurisdiction and authority to release an adjudicated delinquent child at any time during the term of the child's commitment. This bill also does not amend the advisory duties of the juvenile public safety advisory board, which is charged under NMSA 1978 §32A-7A-26 with advising CYFD on release decisions, including criteria to grant release. Amendments to both sections are necessary to avoid conflict.

**OTHER SUBSTANTIVE ISSUES**

None identified.

**ALTERNATIVES**

None proposed.

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

Status quo.

**AMENDMENTS**

Amend NMSA 1978 §32A-2-32.1 to vest in the court the jurisdiction and authority to release an adjudicated delinquent child during the term of the child's commitment.

Amend the advisory duties of the juvenile public safety advisory board, which is charged under NMSA 1978 §32A-7A-26 with advising CYFD on release decisions, including criteria to grant release, to relieve the board of these duties.