

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: 1/26/26

Check all that apply:

Bill Number: HB 146Original Correction Amendment Substitute

Sponsor:	Nicole Chavez, Andrea Reeb, Art De La Cruz & Joy Garrett	Agency Name and Code Number:	770- NMCD
	Short Title:	Felon in Possession of Firearm Penalty	Person Writing Phone: 505-479-2296 Email Anisa.griego-quinta@cd.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	0	Minimal	Minimal	Minimal	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: House Bill 146 increases criminal penalties for felons who possess firearms or destructive devices in New Mexico.

Existing law prohibits people convicted of felonies in the past decade from possessing firearms.

A conviction of felon in possession of a firearm is a third-degree felony, with a basic sentence of three years in prison. House Bill 146 increases the penalty to five years in prison, by creating a new basic sentence just above a third-degree felony. The bill also makes it a second-degree felony for a second or subsequent conviction, with a basic sentence of nine years in prison.

Under the bill, if someone was previously convicted of a “serious violent offense” and is a convicted felon in possession, the sentence automatically jumps up to nine years, and the sentencing judge may not suspend or defer one-third of their sentence.

The bill also expands the range of conduct that falls under the crime to include receiving and transporting a firearm, not just possessing it. It also expands to include receiving, transporting, or possessing a destructive device, not just a firearm.

FISCAL IMPLICATIONS

House Bill 146 would increase penalties for felons in possession of firearms and expand the offense to include receiving or transporting a firearm. This change is likely to increase actual time served or extended periods of community supervision, including probation terms up to five years, in cases without incarceration. Any increase in sentence length or supervision time could affect department caseloads and costs. The bill also has potential public safety implications, including officer safety considerations during community supervision activities such as field visits and fugitive apprehensions.

SIGNIFICANT ISSUES

None

PERFORMANCE IMPLICATIONS

None

ADMINISTRATIVE IMPLICATIONS

None

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None

TECHNICAL ISSUES

None

OTHER SUBSTANTIVE ISSUES

None

ALTERNATIVES

None

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None

AMENDMENTS

None