

LFC Requester: _____

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: 1/29/2026

Check all that apply:

Bill Number: HB 163

Original Correction

Amendment Substitute

Sponsor: Nicole Chavez
Andrea Reeb

Agency Name

and Code

Secretary of State - 370

Number:

Person Writing

Analysis:

Lindsey Bachman

Short Title: DENIAL OF BAIL FOR
CERTAIN OFFENSES

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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
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:

HB 163 designates certain felony offenses as dangerous or violent felony offenses for the purposes of a hearing to deny bail; provides that the provisions of this act shall become effective upon the passage of an amendment to Article 2, Section 13 of the Constitution of New Mexico.

FISCAL IMPLICATIONS

SIGNIFICANT ISSUES

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

Section 2 of the bill requires that the Secretary of State "certifies that the constitution of New Mexico has been amended as proposed." This requirement would be new and is likely misaligned with existing state constitutional and statutory provisions.

Article 19, Section 1 of the New Mexico Constitution provides that "An amendment that is ratified by a majority of the electors voting on the amendment shall become a part of this constitution."

1-13-15(B) NMSA 1978 outlines the approval of the election canvass and declaration of the result of any constitutional amendments. "The state canvassing board shall also meet in the state capitol on the third Tuesday after each statewide election or special state election to approve the report of the canvass and declare the result of the vote on any constitutional amendment or any ballot question voted upon by the voters of more than one county."

Section 2 should be amended to align with these existing constitutional and statutory requirements. Perhaps something to the effect of "Upon the approval of the election canvass and declaration by the state canvassing board in which voters have approved the amendment as proposed by a joint resolution of the second session of the fifty-seventh legislature entitled..."

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

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