

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

House Bill 196 amends Section 30-16-11 NMSA 1978, regarding receiving stolen property, to increase the penalty for receiving a stolen firearm worth less than \$2,500.00 from a fourth degree felony to a third degree felony.

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

In FY 2024, the most recent year for which the NMSC has access to court data, there were 107 cases adjudicated with receipt of a stolen firearm as any charge. In 30 of those cases, receipt of a stolen firearm was the lead offense. Of those, 17% resulted in a finding of guilt, 3% resulted in a conditional discharge, and 80% were dismissed. There were 40 cases in which receipt of a firearm was the most serious weapons offense charge. Of those, 15% resulted in a finding of guilt, 2% resulted in a conditional discharge, and 83% were dismissed. As of June 30, 2024, there was one person incarcerated for this offense, with an expected length of stay of 1.3 years.

Based on the length of stay for individuals released from NM prisons in FY 2024, the median length of stay for a fourth degree felony is 1.07 years, and the median length of stay for a third degree felony is 1.58 years. It is difficult to determine what the effect of passing HB 196 would be on the state's prison population, but the increased penalty for receipt of a firearm may lead to more people being incarcerated by the Corrections Department. The average per day cost to incarcerate someone in the state's prison system is \$153.08/day; this average includes private and public facilities.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS