

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

House Bill 197 amends Section 30-16-1 NMSA 1978, regarding larceny, to increase the penalty for stealing a 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 20 cases adjudicated with larceny of a firearm as any charge. In two of those cases, larceny of a firearm was the lead offense. Of those, one resulted in a finding of guilt, and one was dismissed. There were five cases in which larceny of a firearm was the most serious weapons offense charge. Of those, one resulted in a finding of guilt, and four were dismissed. As of June 30, 2024, there was no one incarcerated for this offense.

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 197 would be on the state's prison population, but the increased penalty for larceny 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

