

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: 2/2/2026

Check all that apply:

Bill Number: HB266Original Correction Amendment Substitute

Sponsor: Elaine Sena Cortez and
Andrea Reeb

Short Title: Penalty for Sexual Exploitation
of Children

Agency Name

and Code

770- NMCD

Number:

Person Writing

A. Griego QuintanaPhone: 505-479-2296Email 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						

(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 266 raises the criminal penalties for knowingly possessing or intentionally distributing child pornography, and raises the interest rate on delinquent child support payments from 4% to 6.5% which shall accrue from the date payment was due until it is paid.

The bill amends the Criminal Sentencing Act by increasing the basic sentence for being convicted sexual exploitation of children from a fourth-degree felony for sexual exploitation of children which carries a 10-year sentence to a third-degree degree felony for sexual exploitation of children which carries an 11-year sentence.

This part of the bill also increases fivefold the sentence enhancement for when the victim is younger than 13, from one year to five. Existing law allows a sentencing judge to suspend or defer this enhancement after one year but HB266 extends that limitation on suspension or deferral to three years.

This part of the bill also increases the basic sentence for being convicted of distributing child pornography from a third-degree degree felony for sexual exploitation of children to a second-degree felony for sexual exploitation of children

The bill also amends state divorce law by increasing the interest rate on delinquent child support from 4% to 6.5%.

FISCAL IMPLICATIONS

Over time, this may result in longer periods of incarceration for affected individuals and could modestly increase average length of stay within NMCD. Any fiscal impact is expected to be incremental and gradual.

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