

LFC Requester:	
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**AGENCY BILL ANALYSIS - 2026 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO  
[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto: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:** 2/05/2026 *Check all that apply:*  
**Bill Number:** HB 339 Original  Correction   
 Amendment  Substitute

**Sponsor:** Art De La Cruz **Agency Name and Code Number:** Administrative Office of the District Attorneys 264  
**Short Title:** Juvenile Justice changes **Person Writing:** Troy J. Davis  
**Title:** \_\_\_\_\_ **Phone:** 505-385-8461 **Email:** Davistr@msn.com

**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
<b>Total</b>						

(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 339 expands the definition of a "serious youthful offender" to include children aged 15 to 18 charged with first-degree criminal sexual penetration. Previously, this classification primarily applied to those charged with first-degree murder. Expands "youth offender" to include criminal sexual penetration in the second, third and fourth degree.

House bill 339 adds a new section for standard terms of commitment which expands short term commitment for up to six months, long-term commitment for up to 21 months. For "youth offenders the standard term of commitment is made up to age twenty-six from twenty-one. "Serious Youth Offender" there is a mandatory age twenty-six from twenty-one.

### **FISCAL IMPLICATIONS**

There is funding to implement the bill. The mandatory time requirement would make more hearings for prosecutors, defense attorneys, and children court.

### **SIGNIFICANT ISSUES**

House Bill 339 makes significant changes to commitment of juveniles, youth offender, and serious youth offenders. Commitment of juvenile of up to twenty-six years of age would be a concern as to where to house the offenders after they turn 18 years of age. At the very least the person should be transferred to DOC upon twenty-first birth. The alternative is to have CYFD establish a separate facility for older offenders.

A need update for the children's code.

### **PERFORMANCE IMPLICATIONS**

### **ADMINISTRATIVE IMPLICATIONS**

None

### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

SB 165 makes change to definitions and commitment times.

HB 125 expands definitions of serious youth offender and youth offender

HB 105 increase commitment times

### **TECHNICAL ISSUES**

None

### **OTHER SUBSTANTIVE ISSUES**

### **ALTERNATIVES**

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

There will continue to a growth of juvenile offenders and juvenile that do not take the court system seriously.