

LFC Requester:

Scott Sanchez

**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: 01/23/2026

Check all that apply:

Bill Number: SB 43Original X  Correction Amendment  Substitute Sponsor: Leo JaramilloAgency Name  
and CodeNew Mexico Adult Parole Board  
760Short Parole Requirement Changes

Number:

Person Writing

Roberta Cohen

Title:

Phone: 505-386-6873Email Roberta.cohen@apb.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
<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: Senate Bill 43 amends the factors affecting parole of an inmate sentenced to life imprisonment. Sets standards for scheduling parole hearings involving homicide convictions. Authorizes per diem and mileage for parole board members.

PAROLE IN CASE OF LIFE IMPRISONMENT. Additional factors to be considered by parole board include:

- When an inmate sentenced to life imprisonment has served 30 years, that shall be construed as the retributive portion of the sentence.
- Consideration for release shall focus on risk and readiness for release as demonstrated by inmate compliance with rules, participation in an educational, vocational, or other program while confined, and whether the inmate has demonstrated maturity, rehabilitation, and fitness to reenter society.
- The Parole Board is to hear from the family or representative of the victim, if they choose to participate, during its consideration of parole, and is also to consider mitigating and aggravating circumstances and the inmate's relevant criminal history, in addition to the other current requirements.

HEARINGS IN CASES OF HOMICIDE. The Parole Board shall not schedule a hearing on the anniversary of the birth or death of the person whose death is the basis for the homicide conviction, when practicable.

PAROLE BOARD PER DIEM. Grants per diem and mileage for a scheduled board meeting or hearing or any other reimbursable activity.

### **FISCAL IMPLICATIONS**

SB 43 does not create new programs or mandate additional hearings beyond existing statutory requirements. However, the bill may result in minor, indirect administrative costs related to implementation and workload distribution.

Marginal increases in per diem and mileage reimbursements if the clarified reimbursement language results in additional reimbursable board activities; reimbursement rates remain governed by the Per Diem and Mileage Act.

These costs are expected to be minimal and non-recurring, and manageable within existing operating budgets

### **SIGNIFICANT ISSUES**

No significant issues for the Adult Parole Board

### **PERFORMANCE IMPLICATIONS**

none

## **ADMINISTRATIVE IMPLICATIONS**

The Board will have to revise current administrative rule to coincide with updated statute as well as hearing checklist to update determination factors. Additional training will need to be completed for Board members.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP** NMAPB has no conflict or duplication or relationship that would need to be cited or added.

## **TECHNICAL ISSUES**

none

## **OTHER SUBSTANTIVE ISSUES**

The scheduling provision is victim-centered but may conflict with:

- Statutory timelines
- Two-year rehearing requirements for life-sentence denials

## **ALTERNATIVES**

none

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

Status Quo

## **AMENDMENTS**

none