

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: 1/23/26

Check all that apply:

Bill Number: SB43Original X  Correction Amendment  Substitute Sponsor: Leo JaramilloAgency Name  
and Code770- NMCD

Short

Person Writing

A. Griego QuintanaTitle: Parole Requirement ChangesPhone: 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
<b>Total</b>	0	0	0	0	N/A	N/A

(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**

The amendment would not have a fiscal impact on the Department.

### **SIGNIFICANT ISSUES**

None

### **PERFORMANCE IMPLICATIONS**

Senate Bill 43 does not change sentence lengths, eligibility dates, or statutory parole terms. Individuals serving life sentences remain eligible only after thirty years, and the minimum parole periods remain the same.

For NMCD, the operational impact is indirect and procedural:

The reframing of parole criteria may increase the likelihood that some long-term inmates are granted parole after becoming eligible, potentially reducing very long stays for a small population over time.

Any change in release patterns for lifers would be gradual and limited in scale, given the small size of that population and the two-year rehearing cycle.

The scheduling provision and board compensation changes do not affect NMCD operations.

From a corrections perspective, this bill is about how parole decisions are framed and administered, not about altering the incarceration pipeline. Any population effect would be incremental and long-term rather than immediate or system-wide.

**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