

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: 27 January 2026 *Check all that apply:*
Bill Number: SB 74 Original Correction
 Amendment Substitute

Sponsor: Brandt **Agency Name and Code Number:** New Mexico Sentencing Commission (354)
Short Title: Cockfighting Penalties **Person Writing:** Douglas Carver
Title: _____ **Phone:** 505-239-8362 **Email:** dhmcarver@unm.edu

SECTION II: FISCAL IMPACT**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
	\$451	Nonrecurring	

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:

SB 74 amends Section 30-18-9 NMSA 1978, regarding cockfighting and dogfighting, by adding cockfights in the provision of the statute concerning being present at one of these events. SB 74 also makes any violation of the statute a fourth degree felony for both cockfights and dogfights—the present statute had only violations pertaining to dogs being a fourth degree felony, while violations pertaining to cocks is a series of graduated penalties depending on the number of convictions, with a fourth degree felony pertaining only to a third or subsequent conviction.

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

NMSC has found that as a lead offense, only one case was filed with Section 30-18-9 NMSA 1978 as a lead offense in FY24. There were 33 cases filed in FY23, representing three incidents with several defendants each. All cases consisted of a single charge of 30-18-9 (nothing else). There have been no cases filed between November 13, 2023 and January 1, 2026. Among these 34 cases, the electronic records to which NMSC has access show dispositions for 32, resulting in 14 convictions (44%), 7 diversions (22%), and 11 dismissals (34%).

It is difficult to determine what the effect of passing SB 74 would be on the state's prison population, but the bill could lead to more people being incarcerated by the Corrections Department, especially as cockfighting crimes that are presently only petty misdemeanors or misdemeanors would become felony offenses. 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**