

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: 1/26/26

Check all that apply:

Bill Number: SB94Original Correction Amendment Substitute Sponsor: Antoinette Sedillo LopezShort Domestic Violence OffenderTitle: Treatment ProgramAgency Name
and Code

Number:

770- NMCD

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	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 94 relates to domestic violence sanctions. Adds to the list of domestic violence-related convictions that can lead to mandatory treatment or intervention, or that can lead to prison time if someone violates their probation following a suspended or deferred sentence.

The bill changes the sentencing laws for people convicted of violating an order of protection or committing one of six different crimes against someone with whom they live.

MANDATORY TREATMENT OR INTERVENTION. Existing law requires someone convicted of and sentenced for battery or aggravated battery against a household member to complete treatment or intervention programming approved by the state Children, Youth and Families Department.

The bill expands this treatment or intervention requirement to include convictions for assault, aggravated assault, assault with intent to commit a violent felony, criminal damage to property, and three or more convictions of assault and/or battery against a household member.

Under the bill, CYFD would determine the treatment or intervention criteria through rulemaking.

PROBATION VIOLATIONS. The bill also increases the potential sanctions a judge can levy when someone convicted of domestic violence receives a suspended or deferred sentence and later violates a condition of their probation.

Under existing law, when a judge convicts someone of a crime other than a capital or first-degree felony, they can suspend or defer their sentence. When a judge suspends or defers a sentence, the law requires them to place the defendant on probation for at least part of the suspended or deferred sentence's duration. If someone violates a condition of their probation, the judge can sanction them.

Under existing law, if a defendant receives a suspended or deferred sentence for battery or aggravated battery against a household member, and they later violate probation, they could receive any sentence a judge could originally have imposed, and not receive credit for time served on probation.

The bill opens up this same possible punishment to people who violate probation stemming from a conviction for assault against a household member, aggravated assault against a household member, assault against a household member with intent to commit a violent felony, multiple battery or aggravated battery convictions, criminal damage to a household member's property or violation of a protection order.

FISCAL IMPLICATIONS

The bill is not expected to have an immediate fiscal impact on the Department, however, if probation violations result in the imposition of original incarceration sentences, the Department could experience delayed incarceration costs over time.

SIGNIFICANT ISSUES

None

PERFORMANCE IMPLICATIONS

Senate Bill 94 increases reliance on probation supervision and treatment compliance monitoring for certain domestic violence offenders. The Department will need to coordinate closely with the Children, Youth and Families Department's approved providers and track participation and completion of required intervention programs as a condition of probation. The bill has the potential to cause a shift in key performance measures, including the number of offenders successfully completing probation and the number of offenders reincarcerated due to violations.

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