

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

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

AgencyAnalysis.nmlegis.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}

Check all that apply:

Original **Amendment**
Correction **Substitute**

Date January 27, 2026
Bill No: SB 103-280

Sponsor: Harold Pope
Short Title: Unlawful Interference with an Aircraft

Agency Name and Code LOPD-280
Number: _____
Person Writing Luz C. Valverde
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	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 103 would modify existing law, Section 64-1-22 and repeal existing law, section 64-1-23.

Current section 64-1-23 simply designates “interference with the flight of an aircraft [as] a fourth degree felony.” The proposed legislation would repeal 64-1-23 and instead designate degree of felony based on the proscribed act.

The bill proposes to amend section 64-1-22 defining the crime of interference with an aircraft. The current law prohibits only discharge of a firearm, projectile or missile at an aircraft, (designated as a fourth degree felony in Section 64-1-23).

The proposed legislation would create four subsections. Subsection (A) would prohibit pointing a laser at an aircraft or “personnel on board the aircraft,” along with the current proscription against firing a gun or other projectile at an aircraft, also adding the “personnel” on board. The conduct described in Subsection (A) would remain a fourth degree felony.

The proposed legislation would add a Subsection (B), penalizing a second or subsequent violation as a third degree felony. A new Subsection (C) would penalize conduct that results in injury requiring medical treatment as a third degree felony.

The proposed legislation would add a Subsection (D), specifically defining “laser” as one emitting radiation rather than merely a beam of light.

FISCAL IMPLICATIONS

It is unclear how often, if ever, this crime is currently charged. LOPD has no readily apparent cases involving this charge from recent years. Nevertheless, penalty increases, particularly an increase that could double punishment from a fourth-degree felony (18 months) to a third-degree felony (3 years), means that more of these cases would proceed to trial rather than resolving with plea agreements, because the state’s bargaining power is substantially increased by the substantially greater sentence.

Analyst has no data as to how much the prohibited conduct *currently* occurs (by way of firearm use), much less how much the conduct sought to be covered by the proposed legislation (by way of laser use) *currently* occurs. Therefore, further assessment would be warranted after the

implementation of the proposed higher-penalty scheme

SIGNIFICANT ISSUES

It appears that the proscribed conduct would encompass conduct by a passenger on board the aircraft, or other person on the ground. If the intent is to limit the crime to one or the other, it would be best to clarify.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

Analyst is unaware whether this legislation is germane under Art. IV, Section 5. It is not a budget bill and analyst is unaware that it has been drawn pursuant to a special message of the Governor.

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Prosecution remains available for the offense involving firearm use toward or onboard an aircraft.

AMENDMENTS