

LFC Requester:	Sanchez, Scott
-----------------------	-----------------------

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: 1/29/26 *Check all that apply:*
Bill Number: HB 196 Original Correction
 Amendment Substitute

Sponsor: Rep. Andrea Reeb **Agency Name and Code** AOC
Short Title: Penalty for Receiving Stolen Firearm **Number:** 218
Person Writing Kathleen Sabo
Phone: 505-470-3214 **Email** aoccaj@nmcourts.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
None	None	Rec.	General

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
Unknown	Unknown	Unknown	Rec.	General

(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	Unknown	Unknown	Unknown	Unknown	Rec.	General

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: Relates to HB 197, increasing the penalty from a fourth degree to a third degree for larceny committed when the property of value stolen is a firearm when its value is less than \$2,500.

Duplicates/Relates to Appropriation in the General Appropriation Act: None.

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: HB 196 amends Section 30-16-11 NMSA 1978, within the Criminal Code and governing receiving stolen property, to increase the penalty from a fourth degree to a third degree when the stolen property received is a firearm when its value is less than \$2,500.

FISCAL IMPLICATIONS

There will be a minimal administrative cost for statewide update, distribution and documentation of statutory changes. Any additional fiscal impact on the judiciary would be proportional to the enforcement of this law and commenced prosecutions and appeals from convictions. New laws, amendments to existing laws and new hearings have the potential to increase caseloads in the courts, thus requiring additional resources to handle the increase.

Increased penalties are likely to result in more defendants invoking their right to trials, as well as to jury trials. More trials and more jury trials will require additional judge time, courtroom staff time, courtroom availability and jury fees. Indigent offenders are entitled to public defender services.

SIGNIFICANT ISSUES

1) In early December, 2025, Everytown for Gun Safety released a white paper revealing that

...New Mexico's gun violence crisis is being driven by an in-state supply chain of crime guns flowing from licensed gun dealers into the hands of traffickers, kids, and violent offenders. The analysis finds that the overwhelming share of recovered and traced crime guns in the state were originally purchased at New Mexico gun stores, many just months before being used in crimes.

In 2023 alone, law enforcement **recovered and traced 4,847 crime guns across New Mexico**. 78 percent were originally sold by federally licensed dealers, and **77 percent** were sold by dealers operating *within* New Mexico. The data also show that nearly half of all crime guns recovered in the state were purchased less than three years before their recovery, a well-established indicator of trafficking.

See [*New Report Reveals How New Mexico Gun Dealers Are Driving the State's Crime Gun Crisis; Lawmakers Propose Policy Solutions*](#), Everytown for Gun Safety, December 3, 2025.

Perhaps the increase from a fourth degree to a third degree felony penalty will affect the number of stolen guns received by dealers in New Mexico and sold to traffickers, kids and violent offenders.

2) As noted by the Sentencing Project, increasing sentence lengths does not deter crime, and does not promote community safety, as shown by an abundance of criminological research. Also

noted is that longer sentences fail to deter others from criminal activity. The Sentencing Project notes that

Long sentences are limited in deterring future crimes because most people do not expect to be apprehended for a crime, are not familiar with relevant legal penalties, or commit crime with their judgment compromised by substance use or mental health problems.

See [*Incarceration and Crime: A Weak Relationship*](#), The Sentencing Project, June 13, 2024, and associated footnotes. See also, [*Punishment Isn't Always the Best Way to Address Crime*](#), National Conference of State Legislatures (NCSL), October 18, 2023.

3) Increased penalties are likely to result in more defendants invoking their right to trials, as well as to jury trials. More trials and more jury trials will require additional judge time, courtroom staff time, courtroom availability and jury fees. Indigent offenders are entitled to public defender services.

PERFORMANCE IMPLICATIONS

The courts are participating in performance-based budgeting. This bill may have an impact on the measures of the district courts in the following areas:

- Cases disposed of as a percent of cases filed
- Percent change in case filings by case type

ADMINISTRATIVE IMPLICATIONS

See “Fiscal Implications,” above.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relates to HB 197, increasing the penalty from a fourth degree to a third degree for larceny committed when the property of value stolen is a firearm when its value is less than \$2,500.

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS