

LFC Requester:	Scott Sanchez
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AGENCY BILL ANALYSIS – 2026 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: 28 JAN 2026 *Check all that apply:*
Bill Number: SB165 Original Correction
 Amendment Substitute

Sponsor: Linda M. Trujillo and Crystal Brantley **Agency Name and Code Number:** 790 – Department of Public Safety

Short Title: DELINQUENCY ACT CHANGES **Person Writing Analysis:** Randy Larcher

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
NFI	NFI	N/A	N/A
NFI	NFI	N/A	N/A

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
NFI	NFI	NFI	N/A	N/A
NFI	NFI	NFI	N/A	N/A

(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	NFI	NFI	NFI	NFI	N/A	N/A
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(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

Senate Bill 165 (SB-165) is a legislative proposal from the 2026 session of the New Mexico Legislature that primarily amends the Delinquency Act and the Juvenile Community Corrections Act. Its primary focus is on updating the legal definitions of juvenile offenders, clarifying detention requirements, and extending commitment terms for certain offenses by:

- **Redefining Offenders:** The bill expands the definition of a "serious youthful offender" to include individuals aged 15 to 18 charged with second-degree murder or specific shooting offenses involving dwellings or vehicles. It also broadens the "youthful offender" category to include voluntary manslaughter and attempted versions of various violent felonies.
- **Targeting 'Drive-By' and Firearm Offenses:** SB-165 specifically addresses the rise in firearm violence by classifying shooting at or from a motor vehicle as a serious offense. This provides a stronger deterrent against the 'drive-by' shootings that plague our neighborhoods.
- **Extended Commitments:** The bill extends the standard terms of commitment for both delinquent and youthful offenders. For example, a short-term commitment is defined as one year (with at least 90 days of supervised release), and a long-term commitment is for no more than two years.
- **Juvenile Probation Services:** It formalizes the creation of the "Juvenile Probation Services" office within the department, outlining specific duties such as conducting predisposition studies and supervising children on probation or supervised release.
- **Justice-Involved Youth:** The bill amends the Juvenile Community Corrections Act to include "justice-involved youth," extending eligibility for certain services to persons up to 25 years of age.

FISCAL IMPLICATIONS

There are no fiscal impacts to NMDPS, the bill maintains and updates the Juvenile Community Corrections Grant Fund, which allows counties and municipalities to apply for grants to provide programs for "justice-involved youth". This could provide local law enforcement or associated agencies with additional resources for diversion and risk-reduction programs.

SIGNIFICANT ISSUES

Expanding detention authority and commitment periods fall within the States' police power when justified by public safety and rehabilitative goals. Extending authority to age 25 in juvenile justice is consistent with neuroscience, demonstrating that executive functioning continues to develop through the mid-20s, and supports tailored supervision that balances rehabilitation and public safety, according to the Child and Family Institute, <https://childfamilyinstitute.com> (last visited Jan. 28, 2026). SB 165 aims to reduce recidivism, protect public safety, expand definitions and offenses for "youthful offenders" and "serious youthful offenders", and implement evidence-based approaches. Extended commitments include education, mental health treatment, increased access to supportive services, reintegration planning, and continued supervision, which statistically decrease recidivism. Expanded authority up to age 25 provides courts with the continuity of jurisdiction needed to implement evidence-based rehabilitative plans, including education, therapy, and skill-building, throughout

emerging adulthood. Lastly, due process safeguards remain intact. The changes proposed in SB 165 align with constitutional safeguards while addressing public safety.

Public safety is the core responsibility of law enforcement, and SB-165 equips the justice system with the necessary authority to meet that obligation. By expanding the *Serious Youthful Offender* designation to include second-degree murder and violent shooting offenses, this legislation closes a critical gap that has allowed the most dangerous juvenile offenders to evade consequences proportionate to the gravity of their crimes. These acts are not impulsive misconduct; they are life-altering, violent felonies that demand meaningful accountability. Additionally, extending commitment terms ensures that the juvenile justice system has adequate time to deliver intensive supervision, treatment, and rehabilitation, rather than prematurely releasing high-risk offenders back into the community. SB-165 strikes the appropriate balance between rehabilitation and accountability, strengthens public confidence in the justice system, and ultimately enhances community safety by reducing the likelihood of violent reoffense.

PERFORMANCE IMPLICATIONS

No performance implications to DPS.

ADMINISTRATIVE IMPLICATIONS

No administrative implications to DPS.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

No conflict, duplication, companionship or relationship to DPS.

TECHNICAL ISSUES

No technical issues to DPS.

OTHER SUBSTANTIVE ISSUES

No other substantive issues to DPS.

ALTERNATIVES

Not applicable as no impact to DPS.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo will remain.

AMENDMENTS

None at this time.