

LFC Requester:	
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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: 1-28-26 *Check all that apply:*
Bill Number: SB-167 Original Correction
 Amendment Substitute

Sponsor: <u>Antonio Maestas</u>	Agency Name and Code	<u>AODA 264</u>
Short Title: <u>Crime of Deadly Weapon on School Premises</u>	Number:	
	Person Writing	<u>Dustin O'Brien</u>
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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						

(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 167 raises unlawful carrying of a deadly weapon on school premises to a third degree felony from a fourth degree felony and clarifies what qualifies as “school premises”, specifying that it includes any location used under the authority of a school board or charter school, even when no personnel are physically present.

FISCAL IMPLICATIONS

The bill is likely to have little fiscal impact on judicial partners. Clarifying what constitutes “school premises” does not create new duties, and any increase in charged cases would likely be minimal. Elevating the offense from a fourth to a third degree felony increases sentencing exposure, but the overall fiscal effect on courts, prosecutors, public defenders, and corrections is expected to remain modest and manageable within existing resources.

SIGNIFICANT ISSUES

The bill clarifies what constitutes “school premises” by specifying that any location used under the authority of a school board or charter school qualifies, even when no personnel are present, which strengthens the statute and reduces ambiguity in charging decisions. It also increases the penalty from a fourth to a third degree felony, raising the seriousness of the offense. This will make charging decisions by prosecutors more clear and consistent.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES –

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL – Status Quo

AMENDMENTS