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| 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: _____ *Check all that apply:*
Bill Number: SB167 Original Correction
 Amendment Substitute

Sponsor: A Maestas **Agency Name and Code** CYFD - 690
Short Title: CRIME OF DEADLY WEAPON ON SCHOOL PREMISES **Number:** _____
Person Writing Kathleen Hardy
Phone: 505-660-8508 **Email** Kathleen.hardy@cyfd.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 | | | | | | |

(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: This bill amends existing statute to increase the penalty for unlawful carrying of a deadly weapon on school premises from a fourth-degree felony to a third-degree felony.

FISCAL IMPLICATIONS

There is no appropriation contained within this bill. Any fiscal implications resulting from an increased number of referrals will be absorbed by existing resources.

SIGNIFICANT ISSUES

This bill will have minimal to no effect on the juvenile population CYFD serves. Upgrading this offense from fourth-degree to third-degree will have no effect on how the Children's Court addresses these charges; and dispositional guidelines for these charges will remain the same.

Statistics concerning this offense for FY2024 and FY2025 follow.

FY24 – Total Charges - 123

- 120 – charges of Unlawful Carrying of a Deadly Weapon on School Premises
- 1 – charge of Unlawful Carrying of a Deadly Weapon on School Premises – Attempt
- 1 - charge of Unlawful Carrying of a Deadly Weapon on School Premises – Conspiracy
- 1 – charge of Unlawful Carrying of a Deadly Weapon on School Premises – Solicit

FY24 – Charges Disposed – (Filed Petition Charges) - 69

- Unlawful Carrying of a Deadly Weapon on School Premises
 - 21 - Admitted
 - 28 - Dismissed due to Admitting a different charge on Petition
 - 9 - No Contest
 - 2 - Nolle
- Unlawful Carrying of a Deadly Weapon on School Premises – Attempt
 - 1 – No Contest
- Unlawful Carrying of a Deadly Weapon on School Premises – Solicit
 - 2 – Admitted
 - 4 – Dismissed due to admitting to a different charge in Petition
 - 1 - Found to Have Committed
 - 1 – Nolle

FY25 – Total Charges – 119

- 115 - Unlawful Carrying of a Deadly Weapon on School Premises
- 3 – Unlawful Carrying of a Deadly Weapon on School Premises – Conspiracy
- 1 – Unlawful Carrying of a Deadly Weapon on School Premises – Solicit

FY25 - Charges Disposed - (Filed Petition Charges)

- Unlawful Carrying of a Deadly Weapon on School Premises
 - 19 - Admitted
 - 27 - Dismissed due to Admitting to a different charge on Petition
 - 1 - Found to have Committed

- 2 - Found to have not Committed
- 18 - No Contest
- 4 – Nolle
- Unlawful Carrying of a Deadly Weapon on School Premises – Conspiracy
 - 2 – Admitted
- Unlawful Carrying of a Deadly Weapon on School Premises – Solicit
 - 1 – Admitted

2 – Dismissed due to Admitting to a different charge on Petition

PERFORMANCE IMPLICATIONS

CYFD has no performance measures which will be affected by this bill.

ADMINISTRATIVE IMPLICATIONS

Any administrative implications resulting from an increased number of referrals due to the addition of charter schools to the definition of “school premises” will be absorbed by existing resources.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Possible conflict with HB125.

TECHNICAL ISSUES

None identified.

OTHER SUBSTANTIVE ISSUES

None identified.

ALTERNATIVES

None proposed.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

None proposed.