

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

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO  
[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto: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:** 2/05/2026 *Check all that apply:*  
**Bill Number:** SB 239 Original  Correction   
 Amendment  Substitute

<b>Sponsor:</b> <u>Joseph Cervantes</u>	<b>Agency Name and Code Number:</b> <u>Administrative Office of the District Attorneys 264</u>
<b>Short Title:</b> <u>Controlled substance continuing sentence</u>	<b>Person Writing:</b> <u>Troy J. Davis</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
<b>Total</b>						

(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: Senate Bill 239 amends 30-31-23 and provides the court with continuing sentencing jurisdiction over convictions related to possession.” If a person's sentence pursuant to this section was suspended or deferred in whole or in part and the person violates any condition of probation, the court may impose any sentence that the court could have originally imposed, and credit shall not be given for time served by the person on probation.”

#### **FISCAL IMPLICATIONS**

#### **SIGNIFICANT ISSUES**

Gives the courts more discretion to make the right rehabilitation decision for each defendant. This same language is used in many domestic violence and DWI sentence statutes.

#### **PERFORMANCE IMPLICATIONS**

#### **ADMINISTRATIVE IMPLICATIONS**

None

#### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

#### **TECHNICAL ISSUES**

#### **OTHER SUBSTANTIVE ISSUES**

#### **ALTERNATIVES**

#### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Courts will have less discretion