

LFC Requester:

Scott Sanchez

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: 2/5/2026

Check all that apply:

Bill Number: SB239Original Correction Amendment Substitute Sponsor: Joseph CervantesShort Controlled SubstanceTitle: Continued SentencingAgency Name
and Code

Number:

770- NMCD

Person Writing

A. Griego QuintanaPhone: 505-479-2296Email Anisa.griego-quinta@cd.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	0	0	0	0	N/A	N/A

(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 Sec. 30-31-23 of the Controlled Substances Act and grants discretion to Courts to extend their jurisdiction over persons violating any conditions of their probation when they have been convicted of an offense under the Controlled Substances Act. The Court's jurisdiction can be extended when a person received a suspended or deferred sentence, in whole or in part, and that person violates any condition of probation. The Court can then impose any sentence that could have been imposed at initial sentencing, and any time spent by the person on probation, prior to the violation, shall not be credited toward the person's sentence.

FISCAL IMPLICATIONS

None for the Department of Corrections.

SIGNIFICANT ISSUES

None

PERFORMANCE IMPLICATIONS

Senate Bill 239 creates tougher penalties and supports enforcement of probation conditions in controlled substance cases by permitting imposition of the original sentence following a violation. These changes would add a deterrent and likely improve compliance with supervision requirements and reduced repeat violations. This bill would have a positive impact on public safety.

In cases where the person is sentenced to prison, individuals will have access to meaningful correctional treatment services and programming to address individual substance use and related needs.

ADMINISTRATIVE IMPLICATIONS

None

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None

TECHNICAL ISSUES

None

OTHER SUBSTANTIVE ISSUES

None

ALTERNATIVES

None

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None

AMENDMENTS

None