

LFC Requester:

Scott Sanchez

**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: 2/5/2026

Check all that apply:

Bill Number: HB245Original  Correction Amendment  Substitute Sponsor: Crystal BrantleyAgency Name  
and Code770- NMCDShort Title: Indecent Exposure to Child Out  
of Public View

Number:

Person Writing A. Griego QuintanaPhone: 505-479-2296 Email Anisa.griego-quinta@cd.nm.gov**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

| Appropriation |      | Recurring<br>or Nonrecurring | Fund<br>Affected |
|---------------|------|------------------------------|------------------|
| FY26          | FY27 |                              |                  |
|               |      |                              |                  |
|               |      |                              |                  |

**REVENUE (dollars in thousands)**

| Estimated Revenue |      |      | Recurring<br>or<br>Nonrecurring | Fund<br>Affected |
|-------------------|------|------|---------------------------------|------------------|
| FY26              | FY27 | FY28 |                                 |                  |
|                   |      |      |                                 |                  |
|                   |      |      |                                 |                  |

(Parenthesis ( ) indicate revenue decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

|              | FY26 | FY27 | FY28 | 3 Year<br>Total Cost | Recurring or<br>Nonrecurring | Fund<br>Affected |
|--------------|------|------|------|----------------------|------------------------------|------------------|
| <b>Total</b> | 0    | 0    | 0    | 0                    | Recurring                    | General          |

(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 245 adds a section to the Criminal Code to create a new crime of indecent exposure to a child out of public view, and designates the crime as a fourth degree felony.

The bill provides that the crime of indecent exposure to a child out of public view consists of a person age 18 or older knowingly and intentionally exposing the person's "primary genital area" in a lewd and lascivious manner, when the person and the child are in a nonpublic place.

A person who commits this crime is guilty of a fourth degree felony.

**DEFINITIONS.**

- "Child" means a person under the age of 18
- "primary genital area" means the mons pubis, penis, testicles, mons veneris, vulva or vagina.

**FISCAL IMPLICATIONS**

Creating a new offense punishable as a fourth-degree felony may result in a gradual, long-term fiscal impact due to additional admissions, longer periods of incarceration, or extended supervision.

**SIGNIFICANT ISSUES**

None

**PERFORMANCE IMPLICATIONS**

None

**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