

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: 5 February 2026 *Check all that apply:*
Bill Number: SB 259 Original Correction
 Amendment Substitute

Sponsor: Sharer **Agency Name and Code Number:** New Mexico Sentencing Commission (354)
Short Title: Create New Threats Against Law Enforcement **Person Writing:** Douglas Carver
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SECTION II: FISCAL IMPACT**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
	\$451	Nonrecurring	

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:

SB 259 creates two new crimes concerning threats against law enforcement.

The first, threatening a law enforcement officer or an immediate family member of a law enforcement officer, consists of a person making a threat, with the intent to: 1) place the law enforcement officer or the immediate family member of a law enforcement officer in fear of great bodily harm; 2) prevent or interrupt the law enforcement officer's ability to carry out their duties; or 3) retaliate against a law enforcement officer on account of the performance of their duties. The penalty for this crime is a fourth degree felony.

The second, malicious sharing of personal information of a law enforcement officer or an immediate family member of a law enforcement officer, consists of a person sharing personal information, with the intent to: 1) cause harm to the law enforcement officer or the immediate family member of an officer; 2) place the law enforcement officer or the immediate family member of an officer in fear of great bodily harm to the officer or to an immediate family member of an officer; or 3) prevent or interrupt the law enforcement officer's ability to carry out their job duties. The penalty for this crime is a misdemeanor.

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

SIGNIFICANT ISSUES

These two new crimes mirror existing laws, passed in 2024, to prevent harassment of the judiciary, Section 30-3-19 NMSA 1978, threatening a judge or an immediate family member of a judge; and Section 30-3-20, malicious sharing of personal information of a judge or an immediate family member of a judge. In FY24, there were ten cases charged for Section 30-3-19 – 5 were closed, 1 had a conviction, and 4 were dismissed. The one conviction had a suspended sentence of 17 months and stayed 30 days in jail.

It is difficult to determine what the effect of passing SB 259 would be on the state's prison population. The average per day cost to incarcerate someone in the state's prison system is \$153.08/day; this average includes private and public facilities.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS