

<b>LFC Requester:</b>	<b>Sanchez, Scott</b>
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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:** 2/6/26 *Check all that apply:*  
**Bill Number:** SB 305 Original  Correction   
 Amendment  Substitute

**Sponsor:** Sen. Linda Lopez **Agency Name and Code:** AOC  
**Short Title:** JUVENILE CORRECTIONS **Number:** 218  
**Title:** FUND USES **Person Writing:** Alison B. Pauk  
**Phone:** 505-470-6558 **Email:** aocabp@nmcourts.gov

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
None	None	N/A	N/A

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
Unknown	Unknown	Unknown	N/A	N/A

(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>	Unknown	Unknown	Unknown	Unknown	N/A	N/A

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: Conflicts: SB 165; SB 147; HB 5  
Duplicates/Relates to Appropriation in the General Appropriation Act: None.

### **SECTION III: NARRATIVE**

#### **BILL SUMMARY**

Synopsis: SB 305 amends the Juvenile Community Corrections Act, Chapter 33, the Tort Claims Act, and the Government Immunity Act, as follows:

- **Section 33-9A-1:** changes the name of the Juvenile Community Corrections Act to Juvenile Community Connections Act, changing “corrections” to connections” throughout.
- **Section 33-9A-2 NMSA 1978:** adds the definitions of “child,” “research-based interventions and risk reduction services,” and “youth,” and amends the definition of “volunteer services.”
- **Section 33-9A-3 NMSA 1978:** adds the phrase “or children or youth referred to juvenile justice services for committing a delinquent act” to the requirement that the child be an adjudicated youth to receive services. The percentage of the fund used by the department for administration is increased from 10% to no more than 12%. Also, the requirement that rules are adopted providing standards for programs that provide research-based interventions and risk deduction services for adjudicated delinquents or children or youth referred to juvenile justice for committing a delinquent act.
- **Section 33-9A-4 NMSA 1978:** amends the section to update the criteria for applicants to include both adjudicated delinquents or “children or youth referred to juvenile services for committing a delinquent act to provide research-based interventions and risk reduction services.” Changes the term “contract” to “program agreement or service agreement” and the term “delinquent” to child or youth.
- **Section 33-9A-5 NMSA 1978:** regarding selection panels, allows a county, municipality or private organization to establish local panel composed of representatives from the judiciary, local schools, CYFD, local law enforcement, individuals from local programs, and private citizens. Selection panels screen and identify delinquents sentenced to a CYFD facility who will benefit from a community connections program.
- **Section 41-4-3 NMSA 1978:** amends the definition of “public employee” to remove “human services department, corrections department or department of health.”
- **Section 41-13-2 NMSA 1978:** amends the definition of “immune contractor”

There is no appropriation listed in this bill.

There is no effective date of this bill. It is assumed that the effective date is May 20, 2026, which is 90 days following adjournment of the Legislature..

#### **FISCAL IMPLICATIONS**

There will be a minimal administrative cost for statewide update, distribution and documentation of statutory changes. New laws, amendments to existing laws and new hearings have the potential to increase caseloads in the courts, thus requiring additional resources to handle the increase.

#### **SIGNIFICANT ISSUES**

In the Juvenile Community Corrections Act, SB 305 seeks to expand eligibility beyond adjudicated youth to also include “children or youth referred to juvenile justice services for committing a delinquent act” who may access programs and services funded through the Juvenile Community Connections Grant Fund. Currently, Sections 33-9A-2 and 33-9A-3 limit programming and services to adjudicated youth; SB 305 expands these services to any child referred to CYFD juvenile justice services for committing a delinquent act. This means that a child only needs to have a police report for a delinquent act referred to juvenile probation in order to be eligible for the services. Although, the use of the word “committing” may be interpreted as necessitating a finding of delinquency by a court instead of a mere accusation of a commission of a delinquent act.

## **PERFORMANCE IMPLICATIONS**

The courts are participating in performance-based budgeting. This bill may have an impact on the measures of the courts in the following areas:

- Cases disposed of as a percent of cases filed
- Percent change in case filings by case type

## **ADMINISTRATIVE IMPLICATIONS**

See “Fiscal Implications,” above.

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

Conflict: SB 165; SB 147; HB 5

## **TECHNICAL ISSUES**

## **OTHER SUBSTANTIVE ISSUES**

## **ALTERNATIVES**

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

## **AMENDMENTS**