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FISCAL IMPACT REPORT

SPONSOR: Miera DATE TYPED: 2/20/03 HB 189/aHCPAC

SHORT TITLE: DWI Abuse Screening & Treatment SB _____

ANALYST: Chavez

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
NFI	NFI				

(Parenthesis () Indicate Expenditure Decreases)

Relates to HB 40, HB 139, SB 93 and SB 99

Conflicts with HB 117 and SB 16

SOURCES OF INFORMATION

State Highway & Transportation Department, Traffic Safety Bureau (SHTD)
 Department of Finance and Administration (DFA)
 LFC Files

SUMMARY

Synopsis of HCPAC Amendment

The House Consumer and Public Affairs Committee amendment removes the 30-day time requirement that an offender, upon conviction, participate in and complete an alcohol or drug abuse screening program approved by the Department of Finance and Administration. The amendment would maintain current law which allows for participation and completion of an alcohol or drug abuse screening program within a time specified by the court.

Synopsis of Original Bill

House Bill 189 amends Section 66-8-102 NMSA 1978 to require an offender upon conviction to participate in and complete an alcohol or drug abuse screening program approved by the Department of Finance and Administration (DFA).

Significant Issues

Currently, offenders can attend any alcohol or drug abuse screening program. House Bill 189 will provide statewide standardization to a screening program in conformance with legislative finance audit recommendations.

CONFLICT, RELATIONSHIP

Other than amending the same section of law, there are no specific conflicts with HB 40, HB 139, SB 93, and SB 99.

However, HB 117 and SB 16 both eliminate the mandatory requirement for second and subsequent DWI offenders to participate in and complete an alcohol or drug abuse screening program which creates a conflict with this bill.

OTHER SUBSTANTIVE ISSUES

The Traffic Safety Bureau within SHTD works closely with the Department of Health (DOH) on DWI issues. Currently, DOH has a database that tracks DWI offenders through the required alcohol or drug abuse screening program. However, the database is incomplete because there are no standards set for screening programs and therefore, no requirements to report information to DOH. Reporting is currently voluntary for screening providers. House Bill 189 would allow DOH to track all DWI offenders. SHTD does utilize this database through DOH for statistics and analysis.

FC/lr :yr