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FISCAL IMPACT REPORT

ORIGINAL DATE 01/22/10

SPONSOR Wirth LAST UPDATED _____ HB _____

SHORT TITLE Domestic Violence "Household Member" Defined SB 2

ANALYST Weber

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY10	FY11	FY12	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total	NFI	NFI	NFI	0		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the District Attorney (AODA)
 Administrative Office of the Courts (AOC)
 New Mexico Sentencing Commission (NMSC)
 Public Defender Department (PDD)
 Health Policy Commission (HPC)
 Children Youth and Families Department (CYFD)

SUMMARY

Synopsis of Bill

Senate Bill 2 amends the definition of "household member" in the Crimes Against Household Members Act and the definition section in the Family Violence Protection Act.

Section 1. amends the definition of "household member" in the Crimes Against Household Members Act, Section 30-3-11 NMSA 1978, by deleting "or family member, including a relative" and deleting "present or former in-law" and adding "present or former parent in-law, grandparent, grandparent-in-law."

Section 2. amends the definitions of the Family Violence Protection Act, Section 40-13-2 NMSA 1978. A new Subsection A is added to define "continuing personal relationship" to mean "a dating or intimate relationship." The definition of "household member" in Subsection E (formerly Subsection D) is amended by deleting "family member, including a relative" and deleting "present or former in-law" and adding "present or former parent in-law, grandparent, grandparent-in-law" and "stepchild" and "grandchild."

FISCAL IMPLICATIONS

The bill only changes a definition and should not have any fiscal implications.

SIGNIFICANT ISSUES

CYFD notes the following implications.

The language removes broader family relationships, which fall outside of the intimate, dating partner and elder abuse categories, which are often incidents of situational violence that lack the power and control dynamics present in domestic violence cases.

Court referrals for these types of cases utilize limited domestic violence resources to assess and make alternative recommendations. Focusing the definition on intimate, dating, and elder abuse will allow limited State resources to be focused on the most vulnerable domestic violence population.

All other respondents offered similar comments.

MW/svb