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FISCAL IMPACT REPORT

ORIGINAL DATE 02/03/14
LAST UPDATED 02/11/14 **HB** 186/HJCS

SPONSOR HJC

SHORT TITLE Tampering & Conspiracy Crime Time Limits **SB** _____

ANALYST Jorgensen

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY14	FY15	FY16	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI	Unknown	Unknown	Unknown	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)

Public Defender Department (PDD)

New Mexico Corrections Department (NMCD)

SUMMARY

Synopsis of Bill

The House Judiciary Committee substitute for House Bill 186 would amend Section 30-1-8 NMSA 1978 to provide that new statutes of limitations for certain crimes. The changes would be that Conspiracy and Tampering with Evidence would now have the same time limit as the underlying crime and provides that no time limits apply to prosecutions of second degree murder.

FISCAL IMPLICATIONS

The fiscal impact of this bill on NMCD is unknown as it is difficult to know if this will result in more convictions for tampering and conspiracy.

The classification of an inmate determines his or her custody level, and the incarceration cost varies based on the custody level and particular facility. The average cost to incarcerate a male inmate is \$38,537 per year in a state-owned and operated prison, and the average annual cost in a privately operated prison is \$29,386.

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The cost per client in Probation and Parole for a standard supervision program is \$2,678 per year. The cost per client in Intensive Supervision programs is \$7,206 per year. The cost per client in Community Corrections is \$1,539 per year. The cost per client per year for female residential Community Corrections programs is \$30,135 and for males is \$22, 197, although these programs usually last only six months for an offender.

NMCD estimates that the bill will only likely result in a small number of additional convictions for the two crimes, and thus only a minimal impact on NMCD's prison population and probation/parole caseloads.

Neither the AOC nor the PDD reported a fiscal impact related to enactment of HB 186.

CJ/svb