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FISCAL IMPACT REPORT

ORIGINAL DATE 02/10/14

SPONSOR Crook **LAST UPDATED** _____ **HB** 225

SHORT TITLE Penalties for Crimes Against Children **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)
 Administrative Office of the District Attorneys (AODA)
 Attorney General’s Office (AGO)
 Department of Public Safety (DPS)
 Children, Youth and Families Department (CYFD)
 New Mexico Department of Corrections (NMCD)

SUMMARY

Synopsis of Bill

House Bill 225 would increase the first offense penalty for abuse of a child that does not result in death or great bodily harm from a third to a second degree felony and increase the penalty for a subsequent offense from a second to a first degree felony. The bill would also increase the penalty to a first degree felony of intentional abuse of a child of any age resulting in the death of a child.

FISCAL IMPLICATIONS

Enactment of this legislation will result in a fiscal impact to agencies including the AOC, District Attorneys, and NMCD, though the cost of implementation is unknown. The increase in penalties for abuse of a child will result in longer terms of incarceration for those convicted under the provisions within HB 225, however, it is unknown how many offenders would be subjected to the provisions of this bill.

It is likely that increasing penalties will result in an increase in the number of trials requested. The increase in trials will impact the District Attorneys, courts, and the Public Defender Department. Although penalty enhancements often increase the number of trials requested by criminal defendants, it is likely that the agencies impacted will be able to absorb the cost of the increase in their current budgets.

SIGNIFICANT ISSUES

The AODA notes that HB 225 raises concerns on policy in treating teenagers that could be days away from adulthood the same as an infant which is helpless to protect itself.

CJ/ds