

LFC Requester:**Scott Sanchez**

**AGENCY BILL ANALYSIS
2024 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

Analysis.nmlegis.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}

Check all that apply:

Original **Amendment**
Correction **Substitute**

Date 21 JAN 24

Bill No: HB 57

Sponsor: Stefani Lord, John Block **Agency Name and Code** 790-Department of Public Safety
Short Title: CHEMICAL CASTRATION FOR SEX OFFENDERS **Number:** _____
Person Writing Brianne A. Bigej
Phone: 505-470-4786 **Email** Brianne.Bigej@dps.n

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
NFI	NFI	N/A	N/A
NFI	NFI	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
NFI	NFI	NFI	N/A	N/A
NFI	NFI	NFI	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI	NFI	NFI	NFI	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

This bill, if passed, would require that all convicted sex offenders serving a parole term, in addition to other parole conditions, undergo “chemical castration treatment” to be paid for by the offender. The treatment is defined as the use of hormonal drugs to reduce sexual violence recidivism and would require the district court to inform the sex offender and to seek written acknowledgement of this condition of parole and the side effects that may result from the treatment.

The treatment would begin no less than one month upon release to parole from prison and for all sex offenders serving in-house parole, the corrections department would administer the treatment. If released during the parole term, the parole officer must tell the sex offender where they can continue to receive the treatment. Upon release to parole, the sex offender receiving the treatment would be required to provide authorization for release of all medical records relating to the treatment by the corrections department to the parole board, and the board has the authority to determine when the treatment is no longer necessary.

For all sex offenders subject to the treatment while on parole, the refusal to participate in the treatment would be considered a violation of parole requiring the reporting to the board by the parole officer and the immediate remand of the offender into the corrections department’s custody to serve the remaining sentence.

FISCAL IMPLICATIONS

No Fiscal impact to DPS.

SIGNIFICANT ISSUES

No significant issues to DPS.

PERFORMANCE IMPLICATIONS

No performance implications to DPS.

ADMINISTRATIVE IMPLICATIONS

This bill proposes for judges to provide complicated medical information to sex offenders and would require the corrections department and parole board members to make medical decisions with regards to parolees without the input of a licensed physician.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

No conflict, duplication, companionship, or relationship issues to DPS.

TECHNICAL ISSUES

No technical issues to DPS.

OTHER SUBSTANTIVE ISSUES

No other substantive issues to DPS.

ALTERNATIVES

Not applicable as no impact to DPS.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

None at this time.