

**LFC Requester:**

**Ginger Anderson**

**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** January 16, 2024

**Bill No:** HB66

**Sponsor:** Representative Andrea Reeb  
**Short Title:** Cannabis in Delinquency Act

**Agency Name and Code Number:** Regulation and Licensing Department - 420

**Person Writing:** Robert Sachs

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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

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

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

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

(Parenthesis ( ) Indicate Expenditure Decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	<b>FY24</b>	<b>FY25</b>	<b>FY26</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>	N/A	N/A	N/A	N/A	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**

Synopsis: This bill amends Section 26-2C-27 NMSA 1978, “Personal Production of Cannabis – Penalties –”; Section 26-2C-28, “Unlicensed Sales of Cannabis – Penalties –”; and Section 26-2C-30, “Unlawful Possession of Cannabis – Penalties –” of the Cannabis Regulation Act (CRA). The bill also amends Section 32A-2-3 NMSA 1978, “Definitions” of the Delinquency Act.

The proposed amendments to Section 27 of the CRA, removes specific penalties for juveniles under the age of 18 who intentionally produce cannabis. The amendment to Section 28 of the CRA adds a reference to the Delinquency Act to add penalties to juveniles found to be engaging in unlawful cannabis activities. The proposed amendment to Section 30 of the CRA change the age range for unlawful possession of cannabis from “under the age of 21”, to “18 – 21” years of age.

The proposed amendments to the Delinquency Act add definitions related to cannabis including cannabis, cannabis extracts, and cannabis products. Proposed amendments also add engaging in commercial cannabis activity as a delinquent act.

**FISCAL IMPLICATIONS**

No fiscal implications.

**SIGNIFICANT ISSUES**

No significant issues.

**PERFORMANCE IMPLICATIONS**

No performance implications.

**ADMINISTRATIVE IMPLICATIONS**

No administrative implications.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

No conflict, duplication, companionship, relationship.

#### **TECHNICAL ISSUES**

No technical issues.

#### **OTHER SUBSTANTIVE ISSUES**

No substantive issues.

#### **ALTERNATIVES**

No alternatives.

#### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

The Cannabis Control Division and Regulation and Licensing Department do not enforce criminal penalties related to the CRA nor ensure compliance with the delinquency provisions that have been amended in this bill. As such, there would be no consequences for the Department or Division if this bill were to pass.

#### **AMENDMENTS**

No amendments.