

**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** 16JAN2024

**Bill No:** HB 66

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

**Agency Name and Code**    790- Department of Public Safety  
**Number:** \_\_\_\_\_  
**Person Writing**    Dale Wagoner  
**Phone:** 505-629-2803    **Email** dale.wagoner@dps.nm.gov

**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)**

	<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>	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**

Synopsis:

The Cannabis Regulation Act, as signed into law on April 12, 2021 and codified under Sections 26-2C-1 to 26-2C-42 NMSA 1978, removed cannabis as a controlled substance under the Controlled Substances Act, Chapter 30, Article 31 NMSA 1978, which legalized the cultivation, manufacturing, consumption, possession and purchasing of recreational cannabis for adults 21 years and older. Under the Delinquency Act, a juvenile is referred for services through Juvenile Probation when they are found to have violated the Controlled Substances Act. As a result of the 2021 Cannabis Regulation Act, a juvenile found to have been in the possession of cannabis is not referred for services but instead is required to either attend a free four-hour evidence based drug education and legal rights program or complete four hours of community service. This house bill proposes to amend the Delinquency Act to include the buying and attempting to buy, receiving, or possessing or being served any cannabis product, the producing of cannabis, or being present in a licensed retail cannabis establishment without a parent, guardian, custodian or adult spouse by a juvenile as a delinquent act subject to penalties described under the act, including a referral for Juvenile Probation services.

**FISCAL IMPLICATIONS**

No fiscal implications to DPS.

**SIGNIFICANT ISSUES**

No significant issues to DPS

**PERFORMANCE IMPLICATIONS**

No performance implications to DPS.

**ADMINISTRATIVE IMPLICATIONS**

No administrative implications to DPS.

**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 will remain.

**AMENDMENTS**

None at this time.