

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 23JAN2024

Bill No: HB 155

Sponsor: William "Bill" R. Rehm
Short Three Strikes Law
Title:

Agency Name
and Code 790-Department of Public Safety
Number:

Person Writing Santana Nieto

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
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

(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

Expands the definition of “violent felony” under the Criminal Sentencing Act to include new specific crimes and allows the parole of geriatric prisoners sentenced to mandatory life imprisonment.

The bill updates the mandatory life imprisonment requirements under Sec. 31-18-23 — the three-strikes-and-you’re-out rule — to provide an exemption that would allow medical parole for geriatric prisoners provided for in the Probation and Parole Act.

The life imprisonment requirement here would honor felony convictions incurred prior to a defendant reaching 18 years of age if they were sentenced as an adult pursuant to Sec. 31-18-15.3 or 32A-2-20, or if they received a felony conviction from another state where they were sentenced as an adult.

Updates the definition “violent felony” in the Criminal Sentencing Act to include the following:

- voluntary manslaughter.
- involuntary manslaughter.
- aggravated battery.
- shooting at a dwelling or occupied building resulting in great bodily harm.
- aggravated battery against a household member.
- abuse of a child that results in great bodily harm to the child.
- negligent abuse of a child that results in the death of a child.
- intentional abuse of a child that results in the death of the child.
- aggravated arson.
- aggravated battery on a peace officer.
- homicide by vehicle or great bodily harm by vehicle while under the influence of alcohol or any drug; or while driving recklessly under Sec. 66-8-113.
- or resisting, evading or obstructing an officer provided under Sec. 30-22-1.
- injury to a pregnant woman by a vehicle under the influence of alcohol, a drug; or while driving recklessly or resisting, evading or obstructing an officer.

FISCAL IMPLICATIONS

No fiscal impact on 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.

AMENDMENTS

None at this time.