

LFC Requester:**Scott Sanchez**

**AGENCY BILL ANALYSIS
2024 REGULAR SESSION**

SECTION I: GENERAL INFORMATION*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

<i>Check all that apply:</i>				Date Prepared:	February 7, 2024
Original	X	Amendment		Bill No:	HM 45
Correction		Substitute			

Sponsor:	Rep. Gail Chasey	Agency Name and Code Number:	305 – New Mexico Department of Justice
Short Title:	Prison Rape Legislation Task Force	Person Writing Analysis:	Michael J. Thomas, Assistant Solicitor General
		Phone:	505-537-7676
		Email:	legisfir@nmag.gov

SECTION II: FISCAL IMPACT**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		

(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						

(Parenthesis () Indicate Expenditure Decreases)

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

SECTION III: NARRATIVE

This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator’s request. The analysis does not represent any official policy or legal position of the NM Department of Justice.

BILL SUMMARY

Synopsis:

This house memorial requests the New Mexico Coalition of Sexual Assault Programs to reconvene a task force for the purpose of recommending possible policy and legislative changes to improve local, county, state and federal jails’ and detention and correctional facilities’ compliance with the federal Prison Rape Elimination Act of 2003 (PREA).

As noted by the house memorial as background, pursuant to a 2023 house memorial (HM 40), the coalition convened a task force to make such recommendations as described above. At the time, the task force was requested to make such recommendations by November 1, 2023.

The memorial recites that the task force needs additional time to study the issues and present its recommendations for policy and legislative changes.

Accordingly, this memorial requests the task force to reconvene and continue such work, with a new deadline of November 1, 2024 by which to report such recommendations.

The memorial also directs that copies of the memorial be transmitted to various entities, including the Governor, the Secretary of the New Mexico Corrections Department, and other listed entities.

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

SIGNIFICANT ISSUES

None.

PERFORMANCE IMPLICATIONS

None to this office.

ADMINISTRATIVE IMPLICATIONS

None to this office.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo.

AMENDMENTS

N/A