

LFC Requester:	Scott Sanchez
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**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}

Check all that apply:

Original X **Amendment** _____
Correction _____ **Substitute** _____

Date Prepared: 1/23/24
Bill No: SB96

Sponsor: Antonio Maestas

Short Title: INCREASE ATTEMPTED
MURDER PENALTY

Agency Name and Code Number: 305 – New Mexico
Department of Justice
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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: SB96 seeks to increase the penalty for attempted murder and second degree felony resulting in the death of a human being. Section 1 of the proposed legislation adds specific language to 30-28-1 Attempt To Commit A Felony specifying that attempted second degree murder is guilty of a third degree felony with a basic sentence of nine years. Section 2 of the proposed legislation increases the sentence for a second degree felony resulting in the death of a human being from 15 to 18 years of imprisonment.

FISCAL IMPLICATIONS

None of note.

SIGNIFICANT ISSUES

None noted.

PERFORMANCE IMPLICATIONS

None of note

ADMINISTRATIVE IMPLICATIONS

None of note

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Conflict: HB200- Increasing sentence for second degree from 15 to 20 years.

TECHNICAL ISSUES

None of note

OTHER SUBSTANTIVE ISSUES

None of note

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo

AMENDMENTS