

<b>LFC Requester:</b>	<b>SCOTT SANCHEZ</b>
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**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:** SB 97

**Sponsor:** Sen. Antonio Maestas  
**Short Title:** Crimes of Shooting at and from Motor Vehicles

**Agency Name and Code**    790 Department of Public Safety  
**Number:** \_\_\_\_\_  
**Person Writing**    KELLY MILLER  
**Phone:** 505 365-3261    **Email** kelly.miller@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

(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)**

	<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	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**

SB 97 amends the Criminal Code to separate the crimes of shooting at a motor vehicle and shooting from a motor vehicle and enhances penalties. Both crimes are considered violent felonies. The bill makes conforming changes to the Motor Vehicle Code to clarify that mandatory license revocation applies in either case. The bill also changes the standard of harm that has to occur from “great bodily harm” to “injury.”

Shooting from a motor vehicle that results in injury to another person is a second-degree felony; shooting from a motor vehicle that does not result in injury is a third-degree felony.

Shooting at a motor vehicle, which consists of willfully discharging a firearm at a motor vehicle with reckless disregard for the person of another is a second-degree felony.

A vehicle used or intended for use in committing the crimes of shooting either at or from a motor vehicle is subject to seizure and forfeiture, pursuant to the procedures set forth in statute.

**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 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.