

LFC Requester:	Scott Sanchez
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AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO
AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.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}

Date Prepared: 20 FEB 2025 *Check all that apply:*
Bill Number: Sb155la Original ☒ Correction ☐
Amendment ☐ Substitute ☐

Sponsor: Antonio Maestas **Agency Name and Code** 790 – Department of Public Safety
Short Title: Determination of embezzlement penalties **Person Writing** Dale R. Wagoner
Phone: 505-629- **Email:** Dale.wagoner@dps.n

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
NFI	NFI	N/A	N/A

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
NFI	NFI	NFI	N/A	N/A

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	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

Senate Bill 155la is the last amendment to SB155 and proposes the following changes to the current version of the bill:

1. On page 1, line 24, before "in", insert "against any one victim".
2. On page 2, line 3, before "in", insert "against any one victim".
3. On page 2, line 8, before "in", insert "against any one victim".
4. On page 2, line 13, before "in", insert "against any one victim".
5. On page 2, line 17, before "in", insert "against any one victim".
6. On page 2, between lines 18 and 19, insert:

"SECTION 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2025.".

Senate Bill 155 proposed an amendment to the Criminal Code to aggregate the penalty for embezzlements that are committed within a consecutive 12-month period, rather than treating each as a separate instance, and would combine the value of embezzled items for the purposes of sentencing.

FISCAL IMPLICATIONS

No fiscal impact to DPS.

SIGNIFICANT ISSUES

No significant issues to DPS.

PERFORMANCE IMPLICATIONS

The amendments to this bill do not change the original DPS assessment of the bill.

DPS believes this bill would be helpful to law enforcement because it would allow a higher level of charging for all embezzlement crimes that occur over a consecutive 12-month. This change in the law would give law enforcement a better tool to deal with individuals who regularly commit embezzlement. Professional criminals are aware of the threshold dollar amounts between misdemeanors and felonies as well as between degrees of the different felonies. They often steal an amount just below the threshold that would make it a higher level of crime because they know they will face lesser criminal penalties. This bill would prevent that loophole from being used by offenders and ensure they are charged at a level appropriate to the crimes they are committing. The end result would have a positive impact on public safety as the primary people affected by this law change would be repeat offenders who tend to carry out this type of crime in an organized manner.

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 will remain.

AMENDMENTS

None at this time.