

LFC Requester:

SCOTT SANCHEZ

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:** 19MAR25*Check all that apply:***Bill Number:** SB 510csOriginal ☐ Correction ☐Amendment ☐ Substitute ☒

Sponsor: William E. Sharer, Pat Woods,
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Short Title: PUBLIC SAFETY CHANGES

Agency Name**and Code**

790 – Department of Public Safety

Number:**Person Writing** H. L. LOVATO**Phone:** 8273316**Email:**HERMAN.LOVATO@DPS.NM.GOV**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	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

The Senate Judiciary Committee Substitute for Senate Bill 510 (SB510 SJC1) revises definitions within the Mental Health and Developmental Disabilities Code and the Assisted Outpatient Treatment Act, particularly in relation to what constitutes “harm to self” and “harm to others.” The changes require a documented recent history of dangerous behavior to justify involuntary detention or treatment. Additionally, the bill broadens the definition of evaluation facilities to include crisis triage centers, allowing alternative placement options beyond emergency rooms or jails. While these updates primarily impact crisis intervention and law enforcement response, their implications for LERB would be minimal unless they alter reporting requirements related to mental health incidents, involuntary detentions, or court-ordered mental health treatment.

SB510 SJC1 Amends the Mental Health and Developmental Disabilities Code and the Assisted Outpatient Treatment Act to change the standard for imposing civil commitment or assisted outpatient treatment in New Mexico by redefining “harm to self” and “harm to others.” The new definitions expand the criteria beyond the commission or threat of certain criminal behaviors to include other facets of self-protection.

SB510 125-page bill that incorporates some or all of various bills from this session relating to public safety, including HB86, HB134, HB39, HB107, HB4, SB74, and SB326.

Senate Bill 510 (SB 510) introduces sweeping changes to New Mexico’s public safety laws by amending existing statutes and adding new provisions related to human trafficking, controlled substances, juvenile justice, competency evaluations, pretrial detention, and sentencing guidelines.

The bill removes the statute of limitations for prosecuting human trafficking offenses, increases penalties for drug-related crimes leading to death, and strengthens pretrial detention considerations. It also significantly modifies the juvenile justice system by expanding the definitions of serious youthful offenders and youthful offenders, allowing youth offenders to waive amenability hearings, and transferring detained juveniles to adult facilities upon turning 18.

Additionally, SB 510 establishes new competency restoration protocols and eliminates earned meritorious deductions for individuals convicted of human trafficking. These legislative changes will require substantial updates to record-keeping, tracking offender data, and revising procedures for criminal history documentation.

The bill also appropriates \$500,000 (GF) to the Administrative Office of the Courts for use in FY2026 for additional costs due to global positioning systems or other costs associated with pretrial release conditions.

FISCAL IMPLICATIONS

No fiscal impact to DPS.

SIGNIFICANT ISSUES

The substitute continues to have a significant, positive impact on public safety. The updated definitional language expands the safety net for those who are an actual danger to themselves or others, but who fall short of the strictures of the existing definition. By expanding that safety net, the state’s behavioral healthcare system will more effectively provide care to a greater number of those in need, thereby directly addressing the root causes of a very large majority of criminal activity in our communities.

Providing uniform definitions will help ensure consistency in the application of mental health laws across the state, thereby promoting fairness. The updated definitions set a clearer standard that can be applied more uniformly across different courts, facilities, and mental health professionals. Moreover, clearer definitions provide a framework for ensuring that patients who may pose a danger to themselves or others receive timely, appropriate treatment while minimizing the risk to the community.

The changes in this committee substitute bill present a balanced, fair, and effective approach to mental health care, ensuring that individuals with mental health conditions are protected and treated in the least restrictive way possible while safeguarding public health and safety.

PERFORMANCE IMPLICATIONS

DPS supports this bill as it will better align the definitional section of the Mental Health and Developmental Disabilities Code with the on-the-ground realities of what our first responders are confronted with, and in so doing, will expand the ability of criminal justice partners and social services providers to provide care to our community's frequent utilizers of services. The overall social impact of this translates to more of those in need receiving services, which will prevent their further deterioration and thereby improve public safety and community quality of life.

ADMINISTRATIVE IMPLICATIONS

No administrative implications 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

No alternatives at this time.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo will remain.

AMENDMENTS

None at this time.