

LFC Requester:

Scott Sanchez

AGENCY BILL ANALYSIS - 2025 SPECIAL 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:** 1 Oct 2025*Check all that apply:***Bill Number:** SB 2Original ☒ Correction ☐Amendment ☐ Substitute ☐

Sponsor: Sen Mimi Stewart & Rep. Christine Chandler

Short Metro Court Defendant Competency Determination

Agency Name and Code**Number:** 790 – Department of Public Safety**Person Writing** Matthew Broom, Deputy Chief**Phone:** 5757601485 **Email:** Matthew.broom@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	NFI	N/A	NA/

(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

Under current law, in a criminal case when the issue of a defendant's competency to stand trial is raised in Metropolitan Court, the case must be transferred to District Court. This bill provides instead that Metro Court retain jurisdiction unless a determination is made that the defendant is not competent, in which event the case must then be transferred to District Court.

FISCAL IMPLICATIONS

No fiscal implications to DPS.

SIGNIFICANT ISSUES

No significant issues to DPS.

PERFORMANCE IMPLICATIONS

The NMDPS supports this legislation. The legislation will significantly improve the efficiency of processing criminal cases by providing a timelier resolution following the arrest and filing of criminal charges. By providing the metro court with this ability it will enable them to quickly evaluate and resolve competency issues when the defendant is deemed competent, in essence providing for faster adjudication, quicker closure for victims, and more efficient and effective use of law enforcement resources.

In addition, the legislation will ensure needed judicial oversight when defendants are truly incompetent, but also eliminates burdensome judicial transfers, making our court system more functional.

This legislation is a practical, common-sense improvement that will help law enforcement in the metro area fulfill their mission more effectively. By reducing needless judicial transfers, when competency is not an actual issue, it will enable more resources to focus on active investigations and community needs rather than repeated court hearings.

ADMINISTRATIVE IMPLICATIONS

No administrative implications to DPS.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

No technical issues to DPS.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo will remain.

AMENDMENTS

No Amendments.