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FISCAL IMPACT REPORT

BILL NUMBER: House Bill 25

SHORT TITLE: Juvenile Firearm Use And Background Checks

SPONSOR: Cates/Reeb/Chavez/ Roybal Caballero

LAST ORIGINAL
UPDATE: _____ **DATE:** 1/26/26 **ANALYST:** Sanchez

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT* (dollars in thousands)

Agency/Program	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
AOC	No fiscal impact	Indeterminate but minimal	Indeterminate but minimal	Indeterminate but minimal	Recurring	General Fund
Total	No fiscal impact	Indeterminate but minimal	Indeterminate but minimal	Indeterminate but minimal	Recurring	General Fund

Parentheses () indicate expenditure decreases.
*Amounts reflect most recent analysis of this legislation.

Sources of Information

LFC Files

- Agency or Agencies Providing Analysis
- Administrative Office of the Courts
- Administrative Office of the District Attorneys
- Office of the Attorney General
- Department of Public Safety
- Children, Youth and Families Department
- Law Offices of the Public Defender

SUMMARY

Synopsis of House Bill 25

House Bill 25 (HB25) prohibits adults who were subject to a juvenile disposition involving the use of a firearm from receiving, transporting, or possessing a firearm or destructive device. The bill amends Section 30-7-16, NMSA 1978, to include this category of individuals in the list of persons for whom it is unlawful to possess firearms or destructive devices. Additionally, the bill allows juvenile delinquency records to be accessed for firearm background checks. It specifies that a juvenile disposition involving the use of a firearm will be treated as a conviction for purposes of firearm possession prohibitions. The measure therefore broadens both the scope of prohibited persons and the records available for firearm background screening under state law.

The effective date of this bill is July 1, 2026.

FISCAL IMPLICATIONS

HB25 does not contain an appropriation and is not expected to affect state revenues directly. However, the bill may entail administrative and operational costs for the judiciary, particularly for the Administrative Office of the Courts (AOC), which would be responsible for implementing new record-sharing and background-check procedures. Under the bill, the AOC would be required to identify juvenile delinquency cases involving the use of a firearm, transmit those records to the FBI's National Instant Criminal Background Check System (NICS), and make them available to state and local law enforcement agencies. The AOC reports that its case management system, Odyssey, does not support automated identification of cases involving firearms. As a result, compliance with the bill may require manual review of juvenile records to determine whether a firearm was involved in the underlying offense. These activities could increase staff workload and may require reallocation of personnel or additional resources, depending on the volume of qualifying cases and the extent of required record processing.

The AOC currently conducts enhanced background checks pursuant to the federal Bipartisan Safer Communities Act, including reviews of juvenile records for individuals under age 21 seeking to purchase firearms. HB25 would expand the scope of such checks by requiring courts to treat certain juvenile adjudications as disqualifying convictions for 10 years. This change may increase the frequency and complexity of background checks conducted by the courts, potentially leading to greater system and staffing demands over time. Other affected agencies, including the Department of Public Safety (DPS), the Children, Youth and Families Department (CYFD), and the Administrative Office of the District Attorneys, reported no significant fiscal impacts at this time.

SIGNIFICANT ISSUES

HB25 would alter the legal treatment of certain juvenile adjudications by authorizing their consideration as disqualifying convictions for purposes of firearm possession restrictions under both state and federal law. Under current New Mexico law, juvenile dispositions are not classified as criminal convictions and are generally sealed under Section 32A-2-26, NMSA 1978 upon the individual's reaching adulthood. HB25 would create an exception by requiring that juvenile adjudications involving the use of a firearm—if the act would constitute a felony if committed by an adult—be treated as convictions for a period of ten years following disposition. This treatment would apply solely to determine eligibility to possess or acquire firearms and destructive devices.

The bill also provides that qualifying juvenile records be made accessible to federal and state law enforcement agencies for background-check purposes, notwithstanding existing statutory provisions governing record sealing. This adjustment may raise legal or operational questions about the interaction between state confidentiality laws and federal reporting requirements, particularly when sealing orders have already been entered or when underlying records lack sufficient detail to establish whether a firearm was involved in the offense.

Because the legislation is narrowly tailored to adjudications involving firearms, certain violent or felony-level juvenile offenses that did not involve a firearm—such as those involving assault, sexual offenses, or vehicular homicide—would not be reportable under the provisions of the bill. This scope limitation may result in a narrower set of disqualifying offenses being included in

background check databases than under federal law, which prohibits firearm possession by individuals convicted of any crime punishable by imprisonment for more than one year. Additionally, HB25 specifies a ten-year reporting period, after which an individual would no longer be prohibited from firearm possession under the bill’s provisions, unless a pardon had previously been issued. The duration and specific criteria established by the bill may therefore differ from other federal or state firearm restriction frameworks.

PERFORMANCE IMPLICATIONS

HB25 may influence judicial performance measures related to case processing and data accuracy. The requirement to identify and transmit qualifying juvenile adjudications for background check purposes could affect timeliness in record updates and the consistency of reporting practices across judicial districts. Courts participating in performance-based budgeting track indicators such as case clearance rates and the timeliness of data reporting, which could be affected if manual review processes increase or if inter-agency coordination introduces delays. Additionally, the legislation’s implementation may require updates to court administrative procedures and interagency protocols that are not currently reflected in performance tracking systems. Over time, the need for reliable identification and classification of qualifying juvenile dispositions may inform future evaluation of court recordkeeping practices and data integration capabilities.

TECHNICAL ISSUES

The Office of the Attorney General (NMAG) noted that the bill’s use of the term “involving” in reference to juvenile adjudications with a firearm lacks clarity. The statute does not define whether a firearm must have been brandished, discharged, or merely present for the act to qualify, which could result in inconsistent application across cases and jurisdictions. Additionally, NMAG noted the bill defines an “adult subject to a juvenile disposition” in the present tense (“subject to”), which could be interpreted to apply only to individuals currently serving a juvenile disposition, potentially excluding those whose dispositions have already concluded. This may not reflect legislative intent and could limit the bill’s applicability without clarifying language.

AOC also flagged a technical inconsistency between proposed Subsection (D) of Section 32A-2-18 and the existing Subsection (C). While Subsection (C) explicitly states that juvenile dispositions are not considered convictions, Subsection (D) would treat certain firearm-related dispositions as convictions for federal firearm prohibitions. Without language clarifying that Subsection (D) is intended to override Subsection (C) for these purposes, the provisions may conflict. AOC suggested that this could be addressed by inserting a phrase such as “Notwithstanding Subsection (C)” at the beginning of Subsection (D).