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FISCAL IMPACT REPORT

BILL NUMBER: House Bill 206

SHORT TITLE: Crime Victim Reparation Additional Crimes

SPONSOR: Chavez, N/Reeb/Parajon

LAST ORIGINAL
UPDATE: _____ **DATE:** 02/05/2026 **ANALYST:** Sanchez

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT*

(dollars in thousands)

Agency/Program	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
CVRC	No fiscal impact	Indeterminate but minimal	Indeterminate but minimal	Indeterminate but minimal	Recurring	Other state funds

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
- Law Offices of the Public Defender
- Crime Victims Reparation Commission
- Department of Public Safety

SUMMARY

Synopsis of House Bill 206

House Bill 206 (HB206) seeks to amend Section 31-22-8 NMSA 1978, the “Crimes Enumerated” section of the Crime Victims Reparation Act, to expand the list of offenses for which victims may be eligible to receive financial reparations from the Crime Victims Reparation Commission (CVRC). Under current law, eligibility for compensation is limited to a defined set of offenses, generally those considered more serious or aggravated. HB206 modifies this framework by expressly adding several additional offenses to the statutory list, thereby broadening the categories of criminal conduct that may qualify a victim for reparation. Specifically, the bill adds assault and battery to Section 31-22-8(A)(2), criminal sexual contact involving adult victims to Section 31-22-8(A)(10), and robbery committed while armed with a deadly weapon to Section 31-22-8(A)(19). These additions operate alongside existing provisions that already include aggravated assault, aggravated battery, criminal sexual contact of a minor, and other violent felonies, and the bill does not remove or alter any currently enumerated offenses.

By amending Section 31-22-8 NMSA 1978 in this manner, HB206 expands statutory eligibility for reparations to victims of certain misdemeanor-level and felony-level offenses that may result in physical, psychological, or emotional harm but were not previously listed. The bill does not change the underlying standards or limits for compensation set forth elsewhere in the Crime Victims Reparation Act, including Section 31-22-9 NMSA 1978, which governs the types of losses for which reparations may be ordered, such as medical expenses, counseling costs, lost wages, and other pecuniary losses directly resulting from the victim's injury or death. The commission's discretionary authority to evaluate claims, determine eligibility, and set award amounts remains unchanged. HB206, therefore, functions as an expansion of statutory access rather than a restructuring of the reparations program, leaving existing administrative processes, benefit categories, and decision-making criteria intact while allowing a broader group of crime victims to apply for compensation under the act.

This bill does not contain an effective date and, as a result, would go into effect 90 days after the Legislature adjourns, which is May 20, 2026.

FISCAL IMPLICATIONS

HB206 does not contain an appropriation and does not require a direct expenditure of state funds; however, the bill could have indirect fiscal implications related to the crime victim's reparation fund and the volume of claims processed by the CVRC.

The primary potential fiscal effect identified relates to the expansion of statutory eligibility for crime victim reparations under Section 31-22-8 NMSA 1978. By adding assault, battery, criminal sexual contact involving adult victims, and armed robbery to the list of enumerated offenses, HB206 may increase the number of victims eligible to apply for compensation. An increase in eligible applications could place additional demand on the crime victims reparation fund over time, particularly because several of the added offenses are frequently charged as misdemeanors and occur at higher volumes than many currently enumerated felony offenses. While the Crime Victims Reparation Commission reports it does not anticipate an immediate or significant fiscal impact and expects to manage any increased demand within existing resources, long-term expenditures from the fund could vary depending on application rates, claim approval patterns, and the availability of fund balances in future fiscal years.

The bill does not modify benefit caps, reimbursement categories, or eligibility standards for compensable losses under Section 31-22-9 NMSA 1978, and it does not mandate new services or expand the types of expenses that may be reimbursed. As a result, any fiscal impact would be driven by changes in utilization rather than changes in program design. Because application volumes and award amounts are dependent on victim behavior and case-specific determinations by the commission, the magnitude of any future cost increases cannot be reliably estimated at this time. Legislators and the public may wish to note that while HB 206 does not create an immediate general fund obligation, expanded eligibility could increase future demand on the crime victims reparation fund and may warrant monitoring through the budget process if claim volumes rise above current levels.

SIGNIFICANT ISSUES

HB206 raises issues related to the scope and administration of the Crime Victims Reparation Act

and its interaction with the broader criminal justice system. By expanding the list of enumerated offenses in Section 31-22-8 NMSA 1978 to include crimes often charged as misdemeanors and that may involve primarily psychological or emotional harm, the bill broadens the statutory definition of victims eligible for recognition and compensation under state law. This expansion represents a policy choice to extend reparations eligibility beyond offenses traditionally associated with serious bodily injury and aligns the statute more closely with offenses that may nonetheless result in documented treatment needs, counseling, or other measurable losses. At the same time, the inclusion of high-volume offenses may increase the visibility of the reparations process in cases where victim status is established early, potentially before adjudication of guilt, which could have procedural implications in individual cases.

Agency analyses also suggest the expansion could have indirect effects on criminal case dynamics without altering substantive criminal law. Eligibility for reparations may intersect with restitution claims, civil liability considerations, or the use of victim impact information in criminal proceedings, which could become relevant in plea negotiations, evidentiary disputes, or witness credibility assessments. While these considerations do not change statutory standards of proof or defendants' rights, they may introduce additional contextual factors in certain cases. In addition, the bill continues the Legislature's practice of defining eligibility for reparations more broadly than the crimes enumerated in Article II, Section 24 of the New Mexico Constitution, reinforcing the distinction between constitutional victims' rights and statutory compensation programs. This approach is consistent with prior amendments to the Crime Victims Reparations Act but may continue to prompt questions about the appropriate boundaries of statutory victim compensation and its role within the justice system.

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