

Bill Research Report

Bill: **HB9**
Sponsors: Herndon (D28)
Title: PENALTIES FOR GUN OWNERS OF WEAPONS ACCESSED BY MINORS
Summary: (Related to 2022 HB9) Makes it a crime to negligently make a firearm accessible to a minor. The bill adds a new section to the Criminal Code to make it unlawful for a person to keep or store a firearm in a way that negligently disregards a minor's ability to access the firearm and the minor thereby accesses the firearm and displays it in a threatening manner or causes harm.
Subjects: Criminal Code; Public Safety and Corrections; Family and Juveniles; Alcohol, Firearms and Tobacco Products
Related: 2022:HB9
Progress: Introduced
Status: 01/18/2023 - House Consumer and Public Affairs Committee
History: 01/11/2023—H Prefiled in the House.
 01/18/2023—H Introduced and referred to House Consumer & Public Affairs.
 01/18/2023—H Also referred to House Judiciary.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: **HB21**
Sponsors: Garcia, M. (D14)
Title: GUN VIOLENCE VICTIM ADVOCATE FUNDING
Summary: Appropriates \$5 million (GF, nonreverting) to the Crime Victims Reparation Commission for use in FY2024 and subsequent years to fund law-enforcement-based advocates for victims of homicide and other violent crime.
Subjects: Appropriations; Criminal Code
Progress: Introduced
Status: 01/18/2023 - House Judiciary Committee
History: 01/03/2023—H Prefiled in the House.
 01/18/2023—H Introduced and referred to House Judiciary.
 01/18/2023—H Also referred to House Appropriations & Finance.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: **HB50**
Sponsors: Roybal Caballero (D13)
Title: CRIME OF POSSESSION OR TRANSFER OF LARGE-CAPACITY MAGAZINES
Summary: (Similar to 2022 HB156) Amends the Criminal Code to create the fourth-degree felony of possession or transfer of a large-capacity magazine, meaning one with a 10-round or greater capacity (down from 15 rounds in last year's HB156). Provides exceptions and definitions. Appropriates \$1.5 million (GF) to the Department of Public Safety for FY 2024, which includes funding of additional local and statewide law enforcement, court process and incarceration.
Subjects: Alcohol, Firearms and Tobacco Products; County Affairs; Courts and Civil Matters; Municipalities/City Government; Criminal Code; Public Safety and Corrections; Appropriations
Related: 2023:HB156
Progress: Introduced
Status: 01/18/2023 - House Commerce and Economic Development Committee
History: 01/10/2023—H Prefiled in the House.
 01/18/2023—H Introduced and referred to House Consumer & Public Affairs.
 01/18/2023—H Also referred to House Judiciary.
 01/18/2023—H Also referred to House Appropriations & Finance.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: **HB55**
Sponsors: Rehm (R31)
Title: ORGANIZED RETAIL CRIME INVOLVING RETAIL MERCHANDISE
Summary: Makes it a crime to commit various levels of "organized retail crime" against a retailer with penalties ranging from a petty misdemeanor for merchandise with an aggregated value of \$250 or less to a second-degree felony for merchandise with an aggregated value over \$20,000. An individual charged with a violation shall not be charged with a separate or additional offense arising out of the same transaction.
Subjects: Criminal Code; Business, Manufacturing and Economic Development
Progress: Introduced
Status: 01/18/2023 - House Commerce and Economic Development Committee
History: 01/10/2023—H Prefiled in the House.
 01/18/2023—H Introduced and referred to House Commerce & Economic Development.
 01/18/2023—H Also referred to House Judiciary.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: **HB57**
Sponsors: Rehm (R31)
Title: TORTS: MERCHANT IMMUNITY FROM DAMAGES IN SHOPLIFTING INCIDENTS
Summary: (Related to 2023 HB 55) Amends the Tort Claims Act to grant immunity to a merchant from liability pertaining to damages or injuries related to the apprehension of a person suspected of shoplifting.
Subjects: Courts and Civil Matters; Business, Manufacturing and Economic Development; Criminal Code
Related: 2023:HB55
Progress: Introduced
Status: 01/18/2023 - House Consumer and Public Affairs Committee
History: 01/10/2023—H Prefiled in the House.
 01/18/2023—H Introduced and referred to House Consumer & Public Affairs.
 01/18/2023—H Also referred to House Judiciary.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: **HB58**
Sponsors: Rehm (R31)
Title: LIFE IMPRISONMENT FOR VIOLENT FELONIES (THREE STRIKES LAW)
Summary: (Identical to 2022 HB31) Under the Criminal Sentencing Act, expands the types of felony convictions subject to mandatory life imprisonment without possibility of parole to persons convicted three times of violent crimes. Includes convictions of violent crimes committed before age 18, for a person sentenced as an adult under: 1) Sec. 31-18-15.3, serious youthful offender, which includes murder in the first degree; 2) Sec. 32A-2-20, disposition of a youthful offender as an adult; or 3) the laws of another state. Provides an exception for geriatric or medical parole pursuant to Sec. 31-21-25.1.
Subjects: Criminal Code; Public Safety and Corrections
Related: 2022:HB31
Progress: Introduced
Status: 01/18/2023 - House Consumer and Public Affairs Committee
History: 01/10/2023—H Prefiled in the House.
 01/18/2023—H Introduced and referred to House Consumer & Public Affairs.
 01/18/2023—H Also referred to House Judiciary.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: HB59
Sponsors: Rehm (R31)
Title: UNLAWFUL CARRYING OF FIREARM WHILE TRAFFICKING DRUGS
Summary: Makes it a third-degree felony to unlawfully carry a firearm while trafficking a controlled substance (while in violation of Sec. 30-31-20, Trafficking Controlled Substances). As used in the section, "firearm" means any weapon that will or is designed to or may readily be converted to expel a projectile by the action of an explosion or the frame or receiver of any such weapon."
Subjects: Criminal Code; Alcohol, Firearms and Tobacco Products; Cannabis/Controlled Substances; Public Safety and Corrections
Progress: Introduced
Status: 01/18/2023 - House Consumer and Public Affairs Committee
History: 01/10/2023—H Prefiled in the House.
 01/18/2023—H Introduced and referred to House Consumer & Public Affairs.
 01/18/2023—H Also referred to House Judiciary.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: HB60
Sponsors: Rehm (R31)
Title: ENHANCED SENTENCE FOR POSSESSION OF FENTANYL
Summary: Adds a new section to the Criminal Sentencing Act provides for an enhanced sentence when a separate finding of fact by the court or a jury shows that fentanyl was possessed pursuant to Subsec. A of Sec. 30-31-23. The basic sentence of imprisonment prescribed in Sec. 31-18-15 shall be enhanced at the following levels when the fentanyl possessed is:
Subjects: Criminal Code; Cannabis/Controlled Substances; Public Safety and Corrections
Progress: Introduced
Status: 01/18/2023 - House Consumer and Public Affairs Committee
History: 01/10/2023—H Prefiled in the House.
 01/18/2023—H Introduced and referred to House Consumer & Public Affairs.
 01/18/2023—H Also referred to House Judiciary.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: HB61
Sponsors: Rehm (R31)
Title: INCREASE PENALTY FOR FELON POSSESSING FIREARM
Summary: (Similar to 2022 HB28) Amends the Criminal Sentencing Act to increase the penalty for felon in possession of a firearm to five years' imprisonment from the standard three years; and for a serious violent felon in possession of a firearm to six years.
Subjects: Alcohol, Firearms and Tobacco Products; Criminal Code; Public Safety and Corrections
Related: 2022:HB28
Progress: Introduced
Status: 01/18/2023 - House Consumer and Public Affairs Committee
History: 01/10/2023—H Prefiled in the House.
 01/18/2023—H Introduced and referred to House Consumer & Public Affairs.
 01/18/2023—H Also referred to House Judiciary.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: HB64
Sponsors: Rehm (R31)
Title: RETIRED LAW ENFORCEMENT OR FIREFIGHTER RETURN TO WORK
Summary: (Related to 2022 HB106) Permits a retired certified law enforcement officer under a municipal police member coverage plan or under the state coverage plan 1, a retired municipal detention officer member, or a retired municipal fire member to return to work for an affiliated public employer, under the following conditions:
Subjects: Public Employees/Retirement; Public Safety and Corrections
Related: 2022:HB106

Progress: Introduced
Status: 01/18/2023 - House Labor, Veterans' and Military Affairs Committee
History: 01/10/2023—H Prefiled in the House.
 01/18/2023—H Introduced and referred to House Labor, Veterans' & Military Affairs.
 01/18/2023—H Also referred to House Judiciary.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: HB71
Sponsors: Garcia, M. (D14)
Title: MOTOR VEHICLES: LOUD MUFFLER PENALTY ASSESSMENT MISDEMEANOR
Summary: Amends the Motor Vehicle Code to make it a penalty assessment misdemeanor to alter or modify a vehicle muffler from the manufacturer's specifications--except for repairs that bring a damaged muffler to the same level of noise reduction capacity as provided by the initial manufactured condition or a modification that reduces the muffler's noise capacity. Carries a \$50 penalty for first conviction; \$250 for a second conviction; and \$500 for a third or subsequent conviction.
Subjects: Transportation; Criminal Code; Environment and Pollution; Public Safety and Corrections; Taxation, Fees and Audits
Progress: Introduced
Status: 01/18/2023 - House Consumer and Public Affairs Committee
History: 01/12/2023—H Prefiled in the House.
 01/18/2023—H Introduced and referred to House Consumer & Public Affairs.
 01/18/2023—H Also referred to House Judiciary.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: HB72
Sponsors: Roybal Caballero (D13)
Title: UNLAWFUL POSSESSION OR TRANSFER OF SEMIAUTOMATIC FIREARM CONVERTER
Summary: (Related to 2022 HB156) Makes it a crime to knowingly possess or transfer a semiautomatic firearm converter; appropriates \$1.5 million (GF) to the Department of Public Safety for use in FY2024 to carry out the prohibition including additional law enforcement, court process, and incarceration.
Subjects: Criminal Code; Alcohol, Firearms and Tobacco Products; Appropriations; Public Safety and Corrections
Related: 2022:HB156
Progress: Introduced
Status: 01/18/2023 - House Judiciary Committee
History: 01/12/2023—H Prefiled in the House.
 01/18/2023—H Introduced and referred to House Judiciary.
 01/18/2023—H Also referred to House Appropriations & Finance.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: HB74
Sponsors: Hochman-Vigil (D15)
Title: PRETRIAL DETENTION HEARINGS: SAFETY ASSESSMENT AND REVOCATION OF RELEASE
Summary: Adds two sections to the Criminal Procedure Act to provide requirements for a public safety assessment in pretrial detention hearings and to provide for pretrial detention upon commission of a felony while on release.
Subjects: Criminal Code; Public Safety and Corrections
Progress: Introduced
Status: 01/18/2023 - House Consumer and Public Affairs Committee
History: 01/12/2023—H Prefiled in the House.
 01/18/2023—H Introduced and referred to House Consumer & Public Affairs.
 01/18/2023—H Also referred to House Judiciary.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: HB76
Sponsors: Hochman-Vigil (D15)
Title: JUDICIAL EDUCATION TRANSFER FROM UNM LAW

Summary: SCHOOL TO AOC
(For the Courts, Corrections and Justice Committee) Creates the Judicial Education Services Division of the Administrative Office of the Courts to replace the Judicial Education Center at UNM Law School's Institute of Public Law. Transfers administration of the Judicial Education Fund from UNM Law School's Institute of Public Law to the Administrative Office of the Courts. Appropriates \$2,114,100 (GF, nonreverting) to the Judicial Education Fund for use in FY2024 and subsequent years.

Subjects: Courts and Civil Matters; Appropriations; Higher Education; State Affairs and State Agencies

Progress: Introduced

Status: 01/18/2023 - House Judiciary Committee

History: 01/12/2023—H Prefiled in the House.
01/18/2023—H Introduced and referred to House Judiciary.
01/18/2023—H Also referred to House Appropriations & Finance.

Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: HB97

Sponsors: Rehm (R31)

Title: CRIMINAL JUSTICE AND PUBLIC SAFETY FUNDS: STATE & LOCAL POLICE SHERIFFS, ABQ DA

Summary: Appropriates \$20 million (GF) to the following agencies for use in FY2024 to fund efforts to reduce the backlog of outstanding felony and misdemeanor arrest warrants.

Subjects: Appropriations; Criminal Code; Public Safety and Corrections

Progress: Introduced

Status: 01/18/2023 - House Judiciary Committee

History: 01/13/2023—H Prefiled in the House.
01/18/2023—H Introduced and referred to House Judiciary.
01/18/2023—H Also referred to House Appropriations & Finance.

Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: HB98

Sponsors: Townsend (R54)

Title: RESTORE QUALIFIED IMMUNITY FOR PUBLIC OFFICIALS IN NM CIVIL RIGHTS ACT

Summary: Amends the New Mexico Civil Rights Act to reinstate the defense of qualified sovereign immunity for public bodies or officials who are sued for violation of a plaintiff's civil rights. Repeals Sec. 41-4A-4 of the act, which currently absolutely bars that defense to any claim for damages or relief.

Subjects: Courts and Civil Matters; Civil Rights

Progress: Introduced

Status: 01/18/2023 - House Consumer and Public Affairs Committee

History: 01/13/2023—H Prefiled in the House.
01/18/2023—H Introduced and referred to House Consumer & Public Affairs.
01/18/2023—H Also referred to House Judiciary.

Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: HB100

Sponsors: Romero, A. (D46)

Title: CERTAIN GUN SALES: 14-DAY WAITING PERIOD

Summary: Amends the Criminal Code provision outlawing sale of a firearm without a background check (Sec. 30-7-7.1) to prohibit transfer of ownership, possession or control of a firearm to a buyer earlier than 14 calendar days after submission of the required federal instant background check.

Subjects: Alcohol, Firearms and Tobacco Products; Criminal Code

Progress: Introduced

Status: 01/19/2023 - House Consumer and Public Affairs Committee

History: 01/13/2023—H Prefiled in the House.
01/19/2023—H Introduced and referred to House Consumer & Public Affairs.
01/19/2023—H Also referred to House Judiciary.

Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: HB101

Sponsors: Romero, A. (D46)

Title: PROHIBIT LARGE-CAPACITY MAGAZINES AND ASSAULT WEAPONS

Summary: (Related to 2023 HB50 and 2022 HB156) Amends the Criminal Code to prohibit the possession, manufacture, purchase, transfer or sale of any large-capacity ammunition feeding device and any assault weapon, subject to certain exceptions. Violation is a fourth degree felony.

Subjects: Alcohol, Firearms and Tobacco Products; Public Safety and Corrections

Related: 2023:HB50; 2022:HB156

Progress: Introduced

Status: 01/19/2023 - House Consumer and Public Affairs Committee

History: 01/13/2023—H Prefiled in the House.
01/19/2023—H Introduced and referred to House Consumer & Public Affairs.
01/19/2023—H Also referred to House Judiciary.

Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: HB109

Sponsors: Block (R51)

Title: REPEAL NEW MEXICO CIVIL RIGHTS ACT

Summary: Repeals the 2021 New Mexico Civil Rights Act, which establishes the right of a person who claims a deprivation of any "rights, privileges or immunities" secured by the bill of rights of the New Mexico Constitution to bring a lawsuit in state district court against a public body and recover actual damages and injunctive relief.

Subjects: Civil Rights; Courts and Civil Matters

Progress: Introduced

Status: 01/19/2023 - House Consumer and Public Affairs Committee

History: 01/19/2023—H Introduced and referred to House Consumer & Public Affairs.
01/19/2023—H Also referred to House Judiciary.

Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: HB113

Sponsors: Chandler (D43)

Title: MAGISTRATE QUALIFICATIONS AND JURISDICTION

Summary: Enhances qualifications for magistrates; expands the jurisdiction of a magistrate to encompass the judicial district; makes magistrate court a court of record.

Subjects: Courts and Civil Matters; Labor; State Affairs and State Agencies

Progress: Introduced

Status: 01/19/2023 - House Government, Elections and Indian Affairs Committee

History: 01/19/2023—H Introduced and referred to House Government, Elections & Indian Affairs.
01/19/2023—H Also referred to House Judiciary.

Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: HB128

Sponsors: Lord (R22)

Title: CHEMICAL CASTRATION FOR CERTAIN SEX OFFENDERS

Summary: Requires chemical castration as a condition of parole for sex offenders pursuant to Sec. 30-9-11 through 30-9-13; stopping treatment while on parole is a fourth-degree felony.

Subjects: Criminal Code; Civil Rights

Progress: Introduced

Status: 01/19/2023 - House Health and Human Services Committee

History: 01/19/2023—H Introduced and referred to House Health & Human Services.
01/19/2023—H Also referred to House Judiciary.

Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: SB2

Sponsors: Cervantes (D31)

Title: SUPREME COURT JUSTICE AND MAGISTRATE SALARIES
Summary: (Identical to 2022 HB151) Mandates that justices of the state Supreme Court receive an annual salary equal to that received by New Mexico federal Magistrate judges. Removes formulas in statute setting magistrates' salaries at a percentage of other judges' salaries.
Subjects: Courts and Civil Matters; County Affairs; Municipalities/City Government; Public Employees/Retirement
Related: 2022:HB151
Progress: Introduced
Status: 01/17/2023 - Senate Judiciary Committee
History: 01/17/2023—S Introduced and referred to Senate Judiciary. 01/17/2023—S Also referred to Senate Finance.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: SB29
Sponsors: O'Neill (D13)
Title: MEDICAL AND GERIATRIC PAROLE PROCEDURES
Summary: (For the Courts, Corrections and Justice Committee) (Broadly identical to 2022 SB29 and 2021 SB114) Amends the Probation and Parole Act to add parole procedures for geriatric, permanently incapacitated, and terminally ill inmates, except for inmates convicted of first degree murder. Repeals existing Sec. 31-21-25.1 which provides for medical and geriatric parole.
Subjects: Criminal Code; Aging
Progress: Introduced
Status: 01/17/2023 - Senate Health and Public Affairs Committee
History: 01/17/2023—S Introduced and referred to Senate Health and Public Affairs. 01/17/2023—S Also referred to Senate Judiciary.
Scheduled: 01/23/2023—Senate Health and Public Affairs Committee, 1:30 p.m. or 1/2 hour after floor session, Room 311
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: SB33
Sponsors: Shendo (D22)
Title: TRIBAL AND PUEBLO LAW ENFORCEMENT AUTHORITY AS PEACE OFFICERS
Summary: Authorizes certified and commissioned tribal, pueblo and BIA police or law enforcement officers who are certified by the NM Law Enforcement Academy or an academy-approved training program to enforce state laws within the exterior boundaries of the tribal or pueblo officer's reservation without the necessity of also being commissioned as a peace officer by the New Mexico State Police, as required under current law.
Subjects: County Affairs; Municipalities/City Government; Public Safety and Corrections; Indians; Insurance; State Affairs and State Agencies
Progress: Introduced
Status: 01/17/2023 - Senate Indian, Rural and Cultural Affairs Committee
History: 01/17/2023—S Introduced and referred to Senate Indian, Rural & Cultural Affairs. 01/17/2023—S Also referred to Senate Judiciary.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: SB34
Sponsors: Pope (D23)
Title: TWO YEAR BAR ON LOBBYING BY FORMER LEGISLATORS
Summary: Amends the Lobbyist Regulation Act to prohibit former legislators from accepting compensation as lobbyists for two years after their legislative service and prohibit lobbyists' employers from compensating former legislators as lobbyists during that period. Upon conviction, a violator is guilty of a misdemeanor and subject to sentencing under Sec. 31-19-1 of the Criminal Code.
Subjects: Criminal Code; Legislature
Progress: Introduced
Status: 01/17/2023 - Senate Rules Committee
History: 01/17/2023—S Introduced and referred to Senate Rules.

Tracking: 01/17/2023—S Also referred to Senate Judiciary. [New Mexico Sentencing Commission Bill Tracker](#)

Bill: SB43
Sponsors: Duhigg (D10)
Title: ACTS OF INTIMIDATION AGAINST ELECTION CLERKS AND AGENTS
Summary: (Essentially identical to 2022 SB144) Amends the crime of intimidation to include inducing or attempting to induce fear in any employee or agent of the Secretary of State, a County Clerk, a Municipal Clerk, or a member of an election board for the purpose of impeding the free exercise or impartial administration of elections; such intimidation is a 4th degree felony.
Subjects: Elections; Criminal Code; County Affairs; Municipalities/City Government; Public Employees/Retirement; State Affairs and State Agencies
Related: 2022:SB144
Progress: Introduced
Status: 01/18/2023 - Senate Judiciary Committee
History: 01/18/2023—S Introduced and referred to Senate Judiciary. 01/18/2023—S Also referred to Senate Finance.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: SB44
Sponsors: Wirth (D25)
Title: NO FIREARMS NEAR A POLLING PLACE
Summary: Prohibits carrying of a loaded or unloaded firearm within 100 feet of a polling place on election day or while early voting is in progress. Prohibition does not apply to (1) a peace or security officer authorized by an appropriate municipal or county election official to be stationed within 100 feet of a polling place or (2) to a peace officer who carries a firearm in the performance of official duties. Violation is a petty misdemeanor.
Subjects: Elections; Public Safety and Corrections
Progress: Introduced
Status: 01/18/2023 - Senate Rules Committee
History: 01/18/2023—S Introduced and referred to Senate Rules. 01/18/2023—S Also referred to Senate Judiciary.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: SB47
Sponsors: Wirth (D25); Chandler (D43)
Title: NO DRIVER'S LICENSE SUSPENSION FOR FAILURE TO APPEAR OR PAY FINE
Summary: (Similar to 2021 SB7) Amends the Motor Vehicle Code to remove authority, of MVD or a state or tribal court, for a driver's license to be suspended or revoked for failure to appear or pay a motor vehicle fine; provides for reinstatement of any driver's license that was previously suspended or revoked for these reasons.
Subjects: Transportation; Criminal Code; Public Safety and Corrections
Progress: Introduced
Status: 01/18/2023 - Senate Judiciary Committee
History: 01/18/2023—S Introduced and referred to Senate Judiciary. 01/18/2023—S Also referred to Senate Finance.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: SB63
Sponsors: Tallman (D18)
Title: DISCLOSURE OF FINALISTS' NAMES FOR APPOINTIVE EXECUTIVE POSITIONS
Summary: (Essentially identical to 2021 SB39 and 2020 SB161; substantially similar to 2019 SB259) Changes the requirements of the Inspection of Public Records Act to require a state agency or institution or political subdivision of the state to disclose and prominently post on its website the names and resumes of finalists for appointive executive positions. The identity of other applicants or candidates that are not finalists would remain confidential and not be subject to inspection under the act.
Subjects: State Affairs and State Agencies; Public Employees/Retirement; County Affairs; Municipalities/City Government; Schools and

Related: Teachers; Information Technology
Progress: 2021:SB39; 2020:SB161
Status: Introduced
History: 01/18/2023 - Senate Health and Public Affairs Committee
 01/18/2023—S Introduced and referred to Senate Health and Public Affairs.
 01/18/2023—S Also referred to Senate Judiciary.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: **SB64**
Sponsors: Sedillo Lopez (D16); Chasey (D18)
Title: PROHIBITS LIFE SENTENCE WITHOUT PAROLE FOR YOUTHFUL OFFENDER
Summary: (Similar to 2022 SB43 and 2021 SB247) Prohibits the imposition on minors convicted of serious crimes of a sentence of life imprisonment without the possibility of release or parole. Applies to current and future prisoners.
Subjects: Criminal Code; Family and Juveniles; Public Safety and Corrections
Progress: Introduced
Status: 01/18/2023 - Senate Health and Public Affairs Committee
History: 01/18/2023—S Introduced and referred to Senate Health and Public Affairs.
 01/18/2023—S Also referred to Senate Judiciary.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: **SB82**
Sponsors: Hemphill (D28)
Title: NO TIME LIMITS TO PROSECUTE RAPE OF MINOR
Summary: Provides no time limitations for commencing a prosecution for criminal sexual penetration of a minor and criminal sexual contract of a minor. Provides a 15-year time limitation for commencing a prosecution for criminal sexual penetration in the second degree.
Subjects: Criminal Code; Family and Juveniles
Progress: Introduced
Status: 01/18/2023 - Senate Judiciary Committee
History: 01/18/2023—S Introduced and referred to Senate Judiciary.
 01/18/2023—S Also referred to Senate Finance.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: **SB84**
Sponsors: O'Neill (D13)
Title: INCARCERATION LIMITS FOR TECHNICAL VIOLATIONS OF PROBATION & PAROLE
Summary: Establishes limits on the Parole Board or the Court for incarceration for technical violations of probation and parole. Applies to a violation of a condition of probation or parole that does not either create a threat to the probationer or released prisoner or others or does not constitute a new criminal charge.
Subjects: Public Safety and Corrections; Criminal Code
Progress: Introduced
Status: 01/18/2023 - Senate Health and Public Affairs Committee
History: 01/18/2023—S Introduced and referred to Senate Health and Public Affairs.
 01/18/2023—S Also referred to Senate Judiciary.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: **SB91**
Sponsors: Lopez (D11)
Title: CONDUCT OF LEGISLATORS, PUBLIC OFFICERS AND EMPLOYEES
Summary: Amends the Governmental Conduct Act (GCA) to recognize that a government position is a public trust and express the public policy of the state and the intent of the Legislature in enacting the GCA that the powers and resources of state and local public office should only be used to advance the public interest and not to obtain personal benefits or to pursue private interests.
Subjects: State Affairs and State Agencies; Legislature; County Affairs; Municipalities/City Government; Public Employees/Retirement
Progress: Introduced

Status: 01/18/2023 - Senate Rules Committee
History: 01/18/2023—S Introduced and referred to Senate Rules.
 01/18/2023—S Also referred to Senate Judiciary.
 01/18/2023—S Also referred to Senate Finance.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: **SB96**
Sponsors: Munoz (D4)
Title: INCREASE MAXIMUM PENSION FOR LAW ENFORCEMENT
Summary: (Related to 2023 HB66) Increases the pension amount for state police, correctional officer, and probation and parole officer members under coverage plan 1 to a maximum of 100 percent of the final average salary (current maximum is 90 percent).
Subjects: Public Employees/Retirement; Public Safety and Corrections
Related: 2023:HB66
Progress: Introduced
Status: 01/18/2023 - Senate Health and Public Affairs Committee
History: 01/18/2023—S Introduced and referred to Senate Health and Public Affairs.
 01/18/2023—S Also referred to Senate Finance.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: **SB114**
Sponsors: Neville (R2)
Title: ALLOWS CONCEALED HANDGUNS IN RESTAURANTS THAT SERVE SPIRITOUS LIQUOR OR CIDER
Summary: Expands provisions of the Criminal Code to allow a person to carry a loaded or unloaded concealed handgun on the premises of a restaurant licensed to sell spirituous liquors or cider. Current law already allows a concealed handgun to be carried into restaurants that serve beer or wine. This bill extends it to restaurants that serve spirituous liquor or cider.
Subjects: Alcohol, Firearms and Tobacco Products; Business, Manufacturing and Economic Development; Criminal Code; Public Safety and Corrections; Family and Juveniles; Municipalities/City Government; County Affairs
Progress: Introduced
Status: 01/19/2023 - Senate Tax, Business and Transportation Committee
History: 01/19/2023—S Introduced and referred to Senate Tax, Business & Transportation.
 01/19/2023—S Also referred to Senate Judiciary.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: **SB116**
Sponsors: Hamblen (D38)
Title: MINIMUM AGE TO BUY OR POSSESS CERTAIN SEMI- OR AUTOMATIC FIREARMS
Summary: A new section to the Criminal Code establishes the age of 21 as the minimum age to purchase or possess an automatic firearm, semiautomatic firearm or firearm capable of accepting a large-capacity feeding device. Provides exceptions; provides a penalty. It is equally unlawful to knowingly sell or transfer ownership of this type of firearm to a person under the age of 21. Convictions carry a misdemeanor penalty subject to sentencing under Sec. 31-19-1 of the Criminal Code.
Subjects: Alcohol, Firearms and Tobacco Products; Business, Manufacturing and Economic Development; Criminal Code; Family and Juveniles; Public Safety and Corrections
Progress: Introduced
Status: 01/19/2023 - Senate Health and Public Affairs Committee
History: 01/19/2023—S Introduced and referred to Senate Health and Public Affairs.
 01/19/2023—S Also referred to Senate Judiciary.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: **SB118**
Sponsors: Padilla (D14)
Title: FINANCIAL CRIMES AGAINST THE VULNERABLE
Summary: (Similar to 2021 SB221) Creates two crimes: (1) financial

exploitation of an adult who is vulnerable or disabled and (2) unlawful use of a power of attorney. Cited as the Financial Crimes Against Adults Who Are Vulnerable or Disabled Act. Violations constitute third- and second-degree felonies, depending on the number of times the offense is committed. State law enforcement agencies, including the Attorney General, and local law enforcement agencies have concurrent jurisdiction to investigate a report of an allegation of financial exploitation of a vulnerable or disabled adult or of unlawful use of a power of attorney.

Subjects: Aging; Criminal Code; Human Services; Health and Medical Practice; Family and Juveniles
Progress: Introduced
Status: 01/19/2023 - Senate Health and Public Affairs Committee
History: 01/19/2023—S Introduced and referred to Senate Health and Public Affairs.
 01/19/2023—S Also referred to Senate Judiciary.
 01/19/2023—S Also referred to Senate Finance.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: SB123
Sponsors: Lopez (D11); Dixon (D20)
Title: REBUTTABLE PRESUMPTION AGAINST RELEASE OF CRIMINAL DEFENDANT PENDING TRIAL
Summary: A new section of the Criminal Code creates a rebuttable presumption against release of a criminal defendant where there is probable cause to believe the defendant committed any one of a host of major felony offenses specified in the bill. A court ruling that the presumption applies is subject to (a) its evaluation that the prosecution has satisfied its burden of proof and (b) taking into consideration factors established by N.M. Supreme Court rules for pretrial detention. Nothing shall be deemed to shift the prosecution’s burden of proof to the defendant; the burden of proof rests with the prosecuting attorney. Applies to charges first filed against defendants on or after the effective date of this act.

Subjects: Civil Rights; Constitutional Issues and Amendments; Criminal Code; Public Safety and Corrections
Progress: Introduced
Status: 01/19/2023 - Senate Health and Public Affairs Committee
History: 01/19/2023—S Introduced and referred to Senate Health and Public Affairs.
 01/19/2023—S Also referred to Senate Judiciary.
 01/19/2023—S Also referred to Senate Finance.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: SB139
Sponsors: Rodriguez (D24)
Title: FUNDS FOR HOMELESS HEALTH CARE AND HOUSING
Summary: (For the Legislative Health and Human Services Committee) Appropriates \$20 million (GF) to the Human Services Department for use in FY2024 to provide homeless people with access to substance use disorder treatment, behavioral health services, and supportive housing.
Subjects: Human Services; Appropriations; Family and Juveniles; Land, Housing and Real Estate; Health and Medical Practice
Progress: Introduced
Status: 01/19/2023 - Senate Health and Public Affairs Committee
History: 01/19/2023—S Introduced and referred to Senate Health and Public Affairs.
 01/19/2023—S Also referred to Senate Finance.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: SB145
Sponsors: Munoz (D4)
Title: STATE POLICE, CORRECTIONS OFFICERS
Summary: Extends the same retirement plan offered to State Police, corrections officers, probation and parole officers (referred to as “member coverage plan 1”) to State Police or corrections officers who retired before June 30, 2013.
Subjects: State Affairs and State Agencies; Public Employees/Retirement; Public Safety and Corrections

Progress: Introduced
Status: 01/19/2023 - Senate Health and Public Affairs Committee
History: 01/19/2023—S Introduced and referred to Senate Health and Public Affairs.
 01/19/2023—S Also referred to Senate Finance.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: SB162
Sponsors: Hamblen (D38)
Title: DONA ANA COUNTY: FUNDS FOR TRANSITIONAL HOUSING AND BEHAVIORAL HEALTH SERVICES
Summary: Appropriates \$1.843 million (GF) to the Human Services Department for use in FY2024 to provide funding for an organization in Dona Ana County that is implementing a transitional housing program for people with serious mental illnesses or substance abuse disorders or have recently been released from incarceration.

Subjects: Health and Medical Practice; County Affairs; State Affairs and State Agencies; Human Services; Land, Housing and Real Estate; Appropriations
Progress: Introduced
Status: 01/19/2023 - Senate Health and Public Affairs Committee
History: 01/19/2023—S Introduced and referred to Senate Health and Public Affairs.
 01/19/2023—S Also referred to Senate Finance.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: SJM2
Sponsors: Munoz (D4)
Title: STUDY STATE EMPLOYEE CLASSIFICATION AND COMPENSATION SYSTEMS
Summary: Requests that the Legislative Council Service (1) commission a governmentwide study of employee classification and compensation systems and benefits practices across all branches of state government; and (2) appoint a joint task force to support and monitor the progress of the study.
Subjects: Public Employees/Retirement; State Affairs and State Agencies; Legislature
Progress: Introduced
Status: 01/19/2023 - Senate Rules Committee
History: 01/19/2023—S Introduced and referred to Senate Rules.
 01/19/2023—S Also referred to Senate Health and Public Affairs.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)

Bill: SJR3
Sponsors: Brandt (R40)
Title: CA: NONPARTISAN JUDICIAL ELECTIONS
Summary: (Identical to 2022 SJR6 as SRC amended) Proposes to amend Article 6, Sec. 33 of the state Constitution to require that all elections for Justice of the Supreme Court, Judge of the Court of Appeals, District Judge, and Metropolitan Court Judge be nonpartisan.
Subjects: Courts and Civil Matters; Constitutional Issues and Amendments; Elections
Related: 2022:SJR6
Progress: Introduced
Status: 01/19/2023 - Senate Rules Committee
History: 01/19/2023—S Introduced and referred to Senate Rules.
 01/19/2023—S Also referred to Senate Judiciary.
Tracking: [New Mexico Sentencing Commission Bill Tracker](#)