

<b>LFC Requester:</b>	<b>Trowbridge, Tom</b>
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**AGENCY BILL ANALYSIS  
2013 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:**

**LFC@NMLEGIS.GOV**

*And*

**DFA@STATE.NM.US**

*{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

*Check all that apply:*

**Original**        **Amendment**      
**Correction**        **Substitute**   

**Date** 2/6/13  
**Bill No:** HB 117(A)-305

**Sponsor:** Rep Bill Rehm / HJC                      **Reviewing**    Attorney General's Office  
**Short**        Statutes of Limitation for                      **Person Writing**        MBaber  
**Title:**        Certain Crimes    **Phone:** 827-6650                      **Email** mbaber@nmagt.gov

**SECTION II: FISCAL IMPACT \*\*\*\*FOR LFC OFFICIAL PURPOSES\*\*\*\***  
**AGO STAFF SHOULD LEAVE SHAGED AREAS BLANK**

**APPROPRIATION (dollars in thousands)**

<b>Appropriation</b>		<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>FY13</b>	<b>FY14</b>		

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:

Duplicates/Relates to Appropriation in the General Appropriation Act

**REVENUE (dollars in thousands)**

<b>Estimated Revenue</b>			<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>FY13</b>	<b>FY14</b>	<b>FY15</b>		

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates, Relates to, Conflicts with, Companion to

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	<b>FY13</b>	<b>FY14</b>	<b>FY15</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>						

(Parenthesis ( ) Indicate Expenditure Decreases)

**SECTION III: NARRATIVE**

This analysis is neither a formal Attorney General’s Opinion nor an Attorney General’s Advisory Opinion Letter. This is a staff analysis in response to the agency’s committee’s or legislator’s request.

**BILL SUMMARY**

This amendment includes the word “**violent**” on page 3, line 4. The effect of the amendment will be to slightly reduce (from the original bill) the types of felonies with no statute of limitations.

**FISCAL IMPLICATIONS WITH ENACTING THIS BILL**

See FIR. See also AGO FIR, Jan 18, 2013

**SIGNIFICANT LEGAL ISSUES**

The bill **as amended** provides no statute of limitations for the crimes enumerated in NMSA 31-18-23(E)(2), the statute which contains the definition of “violent felony”, to wit:

- (a) murder in the first or second degree
- (b) shooting at or from a motor vehicle resulting in great bodily harm
- (c) kidnapping resulting in great bodily harm upon the victim by the victim’s captor
- (d) criminal sexual penetration, as provided in 30-9-11, subsection (C), (D), (E)(5) and (E)(6)
- (e) robbery while armed with a deadly weapon resulting in great bodily harm

**PERFORMANCE IMPLICATIONS WITH ENACTING THIS BILL**

**ADMINISTRATIVE IMPLICATIONS WITH ENACTING THIS BILL**

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP WITH BILLS INTRODUCED THIS SESSION**

**TECHNICAL ISSUES OR DRAFTING ERROR**

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**OTHER SUBSTANTIVE LEGAL ISSUES**

**ALTERNATIVES TO ENACTING THIS BILL**

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Status quo

**AMENDMENTS NEEDED TO IMPROVE THIS BILL**