

LFC Requester:	Connor Jorgensen
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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 X **Amendment**
Correction **Substitute**

Date 01/29/2013
Bill No: HB295--305

Sponsor: Rep. Tim D. Lewis
Short ELECTRONIC & ONLINE
Title: PROMOTION OF PROSTITUTION

Reviewing Attorney General's Office
Person Writing Trevor A. Rigler, AAG
Phone: 5052229013 **Email** trigler@nmag.gov

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

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY13	FY14		

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:

Duplicates/Relates to Appropriation in the General Appropriation Act

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY13	FY14	FY15		

(Parenthesis () Indicate Expenditure Decreases)

Duplicates, Relates to, Conflicts with, Companion to

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY13	FY14	FY15	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(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

Summary Synopsis:

HB 295, if enacted into law, would amend §30--9-4 NMSA (“PROMOTING PROSTITUTION”) to include the use of “an electronic, virtual or online forum or an internet web site” to engage in any of the nine enumerated means of promoting prostitution.

FISCAL IMPLICATIONS WITH ENACTING THIS BILL

The bill could result in additional criminal matters filed in courts of jurisdiction and could also require additional criminal investigations and/or investigative tasks.

SIGNIFICANT LEGAL ISSUES

None. The bill merely modernizes the existing law on prostitution to reflect changes in the way prostitution business is conducted. It does not create offenses or remove defenses, instead keeping all of the original language of the law intact.

PERFORMANCE IMPLICATIONS WITH ENACTING THIS BILL

None

ADMINISTRATIVE IMPLICATIONS WITH ENACTING THIS BILL

None

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

HB 121 – “HUMAN TRAFFICKING PENALTIES” (Tim D. Lewis), which would increase penalties for human trafficking.

HB 195 – “HUMAN TRAFFICKING CENTER HOTLINE NOTICE” (Tim D. Lewis), which would require employers to post notice regarding the National Human Trafficking Resource Center Hotline.

HB 196 – “INCREASED PROSTITUTION PENALTIES” (Tim D. Lewis), which

would increase penalties for certain prostitution-related offenses.

TECHNICAL ISSUES OR DRAFTING ERROR

None

OTHER SUBSTANTIVE LEGAL ISSUES

None

ALTERNATIVES TO ENACTING THIS BILL

None

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo

AMENDMENTS NEEDED TO IMPROVE THIS BILL

None