

<b>LFC Requester:</b>	<b>CHENIER, ERIC</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** 1/29/2013/3/12/13  
**Bill No:** HB 301 (A)--305

**Sponsor:** Candy Ezzell  
**Short**    Domestic Disturbances,  
**Title:**    definitions

**Reviewing**    Attorney General's Office  
**Person Writing**    MBaber  
**Phone:** 827-6650    **Email** mbaber@nmagt.gov

**SECTION II: FISCAL IMPACT \*\*\*\*FOR LFC OFFICIAL PURPOSES\*\*\*\***  
**AGO STAFF SHOULD LEAVE SHADED 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)**

	<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 amends the definition of “household member.” The language of the amendment is nearly identical to Crimes Against Household Members, definitions, NMSA 30-3-11. The language is similar but not identical to the definition of household member in Family Violence Protection Act NMSA 40-13-2 E.**

**FISCAL IMPLICATIONS WITH ENACTING THIS BILL**

**SIGNIFICANT LEGAL ISSUES**

1. The term in FVPA, NMSA 40-13-2E and Crimes Against Household Members, definition in NMSA30-3-11 “continuing personal relationship” is amended to read “dating relationship or an intimate relationship.”

This amendment has the effect of reducing the number of individuals to whom this statute applies. This definition is more restrictive than both sections referenced above.

In this amendment the terms “child, stepchild and grandchild” are omitted from the FVPA definition of household member, thus making the section not applicable to children petitioners and consistent with NMSA 30-3-11.

**PERFORMANCE IMPLICATIONS WITH ENACTING THIS BILL**

Restrictions in the definition of “household member” tend to discourage or prevent over use or abuse of the system by feuding relatives or former relatives.

**ADMINISTRATIVE IMPLICATIONS WITH ENACTING THIS BILL**

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

Related to SB 262, Cervantes, Making Strangulation and Suffocation third degree felonies

**TECHNICAL ISSUES OR DRAFTING ERROR**

**OTHER SUBSTANTIVE LEGAL ISSUES**

**ALTERNATIVES TO ENACTING THIS BILL**  
**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**  
**AMENDMENTS NEEDED TO IMPROVE THIS BILL**