

LFC Requester:	Aurora Sanchez
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**AGENCY BILL ANALYSIS
2015 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: **Date** February 23, 2015
Original **Amendment**
Correction **Substitute** **Bill No:** HB 208a

Sponsor: Rep. Pacheco & Sen. Ivey- **Agency Code:** Attorney General's Office
Short Removal of Emergency **Person Writing** Clara Moran, AAG
Title: Placement Children **Phone:** 505/222-9027 **Email** cmoran@nmag.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY15	FY16		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY15	FY16	FY17		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY15	FY16	FY17	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act:

SECTION III: NARRATIVE

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

BILL SUMMARY

Synopsis:

On February 17, 2015 the Safety and Civil Affairs Committee amended House Bill 208 to require immediate resident fingerprints to be provided to the FBI after a name-based criminal history records check when a child is placed in a home due to an emergency placement situation, striking the previous 15 day allowance between a name-based record check and submission of finger prints to the FBI.

The committee also struck what had been added as 32A-3A-11(B)(1), consolidating the language of previous (B)(1) and (B)(2). Thus, when placement of a child in a home is denied as a result of a name based criminal history record check of a resident and the resident contests the denial within 5 business days the resident may submit a complete set of the resident’s fingerprints and written permission allowing the department to forward the fingerprints to the department of public safety for submission to the FBI. And, the resident shall be entitled to review the information obtained from the resident’s criminal history record check that was performed using the resident’s finger prints.

FISCAL IMPLICATIONS

N/A

SIGNIFICANT ISSUES

The amendments create a mandate for immediate and chronological disposition of events and procedure.

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo

AMENDMENTS