

LFC Requester:	Marty Daly
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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** March 10, 2015
Original **Amendment**
Correction **Substitute** **Bill No:** HB 270a

Sponsor: Rep. Yvette Herrell **Agency Code:** Attorney General's Office
Short Title: Sex Offender Definitions **Person Writing:** Maria Sanchez-Gagne , AAG
Title: _____ **Phone:** 505-827-6716 **Email:** msanchez@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:

Amendment lowers the age from less than 18 years old to less than 16 years old for persons involved in the list of new offenses added to the definition of sex offender in Section 29-11A-3 and the list of offenses requiring registration in Section 29-11A-5: patronizing prostitutes, promoting prostitution; accepting earnings of a prostitute. Adds an age requirement to voyeurism ‘when the victim is less than 16 years of age’. Amends Section 29-11A-5.1 to lower age from 18 years old to 16 years old for persons involved in new list of offenses maintained on internet website: patronizing prostitutes, promoting prostitution, accepting the earnings of a prostitute.

FISCAL IMPLICATIONS N/A

SIGNIFICANT ISSUES

Lowering the age to ‘less than 16 years old’ to the proposed new list of crimes is consistent with other sexual offenses against minors such as 30-9-11 where consent may be an issue. The proposed lower age is also consistent with the proposed offense of human trafficking, ‘when the victim is under sixteen.’

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo

AMENDMENTS

N/A