

<b>LFC Requester:</b>	<b>Aurora Sanchez</b>
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**AGENCY BILL ANALYSIS  
2015 REGULAR SESSION**

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

**[LFC@NMLEGIS.GOV](mailto:LFC@NMLEGIS.GOV)**

*and*

**[DFA@STATE.NM.US](mailto: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 20, 2015  
**Original**     X  **Amendment**    \_\_\_\_\_ **Bill No:** HB 497  
**Correction**    \_\_\_\_\_ **Substitute**    \_\_\_\_\_

**Sponsor:** Rep. Antonio "Moe" Maestas    **Agency Code:** Attorney General's Office  
**Short**    Reconciling Differences in    **Person Writing**    Tony W. Long, AAG  
**Title:**    Household Member    **Phone:** 505/222-9020    **Email**    tlong@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)**

	<b>FY15</b>	<b>FY16</b>	<b>FY17</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>						

(Parenthesis ( ) Indicate Expenditure Decreases)

Conflicts with/Relates to: HB 462

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: This Act relates to Domestic Violence; Reconciling differences in the definition of “Household Member” in the Crimes Against Household Members Act, the Family Violence Protection Act and the Criminal Procedure Act.

In §30-3-11(A) “parent in-law” is changed to “parent-in-law”.

In §31-1-7(A) the terms “family member, including a relative” are completely removed. “present or former in-law, child or co-parent of a child” is replaced with “present or former parent-in-law, grandparent, grandparent-in-law, co-parent of a child”.

In §31-1-7(B) the word “he” is replaced with the gender neutral term “the officer”.

In §40-13-2(E) “parent in-law” is changed to “parent-in-law” and “child, stepchild, grandchild” are completely removed.

**FISCAL IMPLICATIONS**

N/A

**SIGNIFICANT ISSUES**

The removal of “family member, including a relative” from §31-1-7 may be interpreted to allow for domestic violence between siblings and other family members that are not specifically mentioned. This may be construed as adding a possible loophole.

**PERFORMANCE IMPLICATIONS**

N/A

**ADMINISTRATIVE IMPLICATIONS**

N/A

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

Relationship – HB 462

Conflict – HB 462

**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