

LFC Requester:	Connor Jorgensen
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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** 2/18/2015
Original **Amendment** _____ **Bill No:** SB 613
Correction _____ **Substitute** _____

Sponsor: Sen. Daniel A. Ivey-Soto and Sen. Stephanie Garcia Richard **Agency Code:** Attorney General's Office
Short Title: Create Driving Under the Influence Code **Person Writing:** James Torres, AAG
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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)

SB 586: Conflict (alternative configuration of DUI Code)

HB 30: Conflict (giving division power to prohibit alcohol purchase by Section 66-8-102 offender)

HB 120: Conflict (providing concentrations of various drugs amounting to violation of Section 66-8-102)

HB 131: Conflict (alternative interlock requirements)

HB 86: Conflict (provides additional house arrest requirements)

HB 359: Conflict (increased penalties under Section 66-8-102)

HB 355: Conflict (increased penalties under Section 66-8-102)

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:

SB 613 proposes to create the Driving Under the Influence Code (“DUI Code”). This bill would repeal Sections 66-5-502 and 66-8-102 NMSA 1978 and recompile the provisions of these sections into the DUI Code, creating a more uniform and logical statutory structure. This bill would make the following amendments:

1. Sections 66-8-102.1, 66-8-102.2, 66-8-102.4, 66-8-105, 66-8-107, 66-8-108, 66-8-109, 66-8-110, 66-8-111, 66-8-111.1, 66-8-112, 66-5-501, 66-5-503, 66-5-504, 66-8-102.3 are recompiled into the DUI Code and amended to properly reference the DUI Code and remove any references to gender.

FISCAL IMPLICATIONS

N/A

SIGNIFICANT ISSUES

N/A

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

SB 586: CREATE DWI AND DUI CODE & DWI FUND USES – Conflict (alternative configuration of DUI Code)

HB 30: ALCOHOL SALES TO INTERLOCK LICENSEES – Conflict (giving division power to prohibit alcohol purchase by Section 66-8-102 offender)
HB 120: DWI FOR CERTAIN DRUGS & INTERLOCKS – Conflict (providing concentrations of various drugs amounting to violation of Section 66-8-102)
HB 131: DWI TESTS & INTERLOCK TIME REQUIREMENTS – Conflict (alternative interlock requirements)
HB 86: DWI INTERLOCK REMOVAL REQUIREMENTS – Conflict (provides additional house arrest requirements)
HB 359: INCREASE PENALTIES FOR 4TH & SUBSEQUENT DWIS – Conflict (increased penalties under Section 66-8-102)
HB 355: INCREASE DWI PENALTIES – Conflict (increased penalties under Section 66-8-102)

TECHNICAL ISSUES

Addressed above

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo

AMENDMENTS

N/A