

<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:*

**Original**     **Amendment**    \_\_\_\_\_  
**Correction**    \_\_\_\_\_ **Substitute**    \_\_\_\_\_

**Date** February 20 , 2015  
**Prepared:** \_\_\_\_\_  
**Bill No:** Senate Bill 674

**Sponsor:** Sen. Mimi Stewart

**Agency Code:** Attorney General's Office

**Short Title:** Reduce Controlled Substance Penalties

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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
<b>Total</b>						

(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: Senate Bill 674 seeks to reduce the penalty for possession of all controlled substances to a misdemeanor.

**FISCAL IMPLICATIONS:**

Note: N/A

**SIGNIFICANT ISSUES:** This bill effectively eliminates felony penalties for the possession of all controlled substances. By eliminating subsection 30-31-23(E), the penalty for all controlled substances (including heroin, cocaine and methamphetamine) would be governed by the penalty expressed in subsection (D). The penalty in subsection (D) is a misdemeanor.

An exception that must be noted is that this Bill maintains felony penalties for possession of controlled substances within a school zone.

**PERFORMANCE IMPLICATIONS**

Note: N/A

**ADMINISTRATIVE IMPLICATIONS**

Note: N/A

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP:**

Note: N/A

**TECHNICAL ISSUES**

Note: N/A

**OTHER SUBSTANTIVE ISSUES**

Note: N/A

**ALTERNATIVES**

Note: N/A

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Status quo

**AMENDMENTS**

Note: N/A