



**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>	minimal	Minimal	Minimal	Minimal	Recurring	general

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: SB259, HB448, SB245.  
Duplicates/Relates to Appropriation in the General Appropriation Act

**SECTION III: NARRATIVE**

**BILL SUMMARY**

Synopsis:

HB449 expands the definition of “domestic abuse” in the Family Violence Protection Act to include “an incident by a household member consisting of injuring or killing or threatening to injure or kill a pet.”

**FISCAL IMPLICATIONS**

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

Expanding the definition of “domestic abuse” in the Family Violence Protection Act may increase costs slightly to law enforcement agencies, courts and commissioners who administer the Act. The expanded definition may result in a slight increase in protective orders issued. Violations of such orders are misdemeanors, and the district attorneys and courts may experience a slight increase in costs.

**SIGNIFICANT ISSUES**

HB449 recognizes that harm or threats of harm to a beloved pet can be a powerful means of control for an abuser.

**PERFORMANCE IMPLICATIONS**

None for the district attorneys.

**ADMINISTRATIVE IMPLICATIONS**

None for the district attorneys.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

SB259 also amends the definition section of the Family Violence Protection Act, but does not amend the definition of “domestic abuse.” It prohibits a person subject to certain orders of protection from possession or purchasing firearms.

HB448 addresses custody of pets in divorce cases.

SB245 repeals the current provision in the Family Violence Protection Act regarding substitute addresses, and enacts new legislation on that topic.

### **TECHNICAL ISSUES**

HB449 does not limit the harm or threat of harm to the victim's pet or a pet within the household. Therefore, domestic abuse could consist of a threat to harm the pet of some (possibly unknown) third party. The Family Violence Protection Act generally defines abuse as acts against another household member, and not against a third party. If HB449 was intended to apply only to harm or threats of harm to a household pet, that should be made clear in the bill.

### **OTHER SUBSTANTIVE ISSUES**

None found.

### **ALTERNATIVES**

None proposed.

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

Harm or threats of harm to a pet will not constitute domestic abuse under New Mexico's Family Violence Protection Act.

### **AMENDMENTS**

None proposed.