

<b>LFC Requester:</b>	<b>Julia Downs</b>
-----------------------	--------------------

**AGENCY BILL ANALYSIS  
2016 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:*

<b>Original</b>	<input checked="" type="checkbox"/>	<b>Amendment</b>	<input type="checkbox"/>	<b>Date</b>	<u>01/26/2016</u>
<b>Correction</b>	<input type="checkbox"/>	<b>Substitute</b>	<input type="checkbox"/>	<b>Bill No:</b>	<u>SB202</u>

<b>Sponsor:</b>	<u>Bill B. O'Neill, Sharon Clahchischilliage</u>	<b>Agency Code:</b>	<u>264 (AODA)</u>
<b>Short Title:</b>	<u>Hate Crimes Against Homeless People</u>	<b>Person Writing</b>	<u>Mary Lynne Newell</u>
		<b>Phone:</b>	<u>5753136890</u>
		<b>Email</b>	<u>starlight@gilanet.com</u>

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY16	FY17		

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY16	FY17	FY18		

(Parenthesis ( ) Indicate Expenditure Decreases)

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

	<b>FY16</b>	<b>FY17</b>	<b>FY18</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<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**

**BILL SUMMARY**

Synopsis: This bill amends the Hate Crimes Act (Section 31-18B-1 NMSA 1978) to include the status of homelessness as a designated class of victim for mandatory sentence enhancement for offenders, and provides a definition of homelessness.

**FISCAL IMPLICATIONS**

None for the District Attorneys.

**SIGNIFICANT ISSUES**

None for the District Attorneys. This statute change will not change the number of cases prosecuted, just because the victim is homeless, but would allow for more leverage in penalty.

**PERFORMANCE IMPLICATIONS**

None for the District Attorneys.

**ADMINISTRATIVE IMPLICATIONS**

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

**TECHNICAL ISSUES**

**OTHER SUBSTANTIVE ISSUES**

**ALTERNATIVES**

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

Crimes against the homeless will still be prosecuted under whatever appropriate legal charges, but only the basic penalties or other existing penalties will be available for convicted offenders.

**AMENDMENTS**