

LFC Requester:	Theresa Rogers
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**AGENCY BILL ANALYSIS
2016 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 02/03/2016
Original **Amendment** **Bill No:** SB260
Correction **Substitute**

Sponsor: Michael Padilla **Agency Code:** 264 (AODA)
Short Jail Transport to Treatment **Person Writing** Mary Lynne Newell
Title: Fund **Phone:** 5753136890 **Email** starlight@gilanet.com

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)

	FY16	FY17	FY18	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(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 adds an additional five dollars (\$5.00) to costs imposed on many defendants upon conviction, which money will go into a fund to be used to reimburse Sheriffs for the costs of transporting prisoners to treatment.

FISCAL IMPLICATIONS

None for the District Attorneys.

SIGNIFICANT ISSUES

Most offenders are indigent and these fees, along with all the others, will be uncollectible. Traditionally, when a defendant is unable to pay their fees, they end up spending more time in the criminal process litigating whether they had an ability to pay, hence costing more time and money to the system in an effort to collect fees, including as an issue in probation revocation. AOC should be consulted regarding whether there is a decent likelihood of collection. How funds are to be fairly allocated between Sheriffs' Offices is a concern, as outlying counties bear the brunt of costs to centralized treatment facilities.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Costs will continue to be borne out of the Sheriffs' budgets.

AMENDMENTS