

**LFC Requester:**

**AGENCY BILL ANALYSIS  
2020 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 5, 2020  
**Bill No:** HB 302-264

**Sponsor:** Mathews and Ivey-Soto  
**Short Title:** Statute of limitations for victims of childhood sexual

**Agency Name and Code Number:** Administrative Office of the District Attorneys 264  
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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

| Appropriation |      | Recurring or Nonrecurring | Fund Affected |
|---------------|------|---------------------------|---------------|
| FY20          | FY21 |                           |               |
|               |      |                           |               |
|               |      |                           |               |

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

| Estimated Revenue |      |      | Recurring or Nonrecurring | Fund Affected |
|-------------------|------|------|---------------------------|---------------|
| FY20              | FY21 | FY22 |                           |               |
|                   |      |      |                           |               |
|                   |      |      |                           |               |

(Parenthesis ( ) Indicate Expenditure Decreases)

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

|              | <b>FY20</b> | <b>FY21</b> | <b>FY22</b> | <b>3 Year<br/>Total Cost</b> | <b>Recurring or<br/>Nonrecurring</b> | <b>Fund<br/>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:

HB 302 amends§37-1-30, NMSA 1978, by specifying when the statute of limitations runs for victims of childhood sexual abuse. It also provides for the revival of certain claims before December 31, 2021.

**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.

**SIGNIFICANT ISSUES**

There do not appear to be any impacts to the duties of the district attorneys by this bill.

It may be helpful to require District Attorney’s office to advise a victim of a crime pursuant to §§ 30-9-11, 30-9-13 and the Sexual Exploitation of Children Act (as enumerated in page 3, lines 5-12), that they have a right to file an action for damages and the time limits for doing so. That can probably be done by victim advocates in the proper forms can be created for doing so.

Section 2 (page 3, lines 21-25 and page 4, lines 1-2, provides that cases otherwise barred by the 2017 amendments to§37-1-30 may be revived provided the action is commenced prior to December 31, 2021. There may be an issue here regarding identifying the victims and advising them that they may still be able to file a civil action for damages. The district attorney offices would have information regarding the victims of the enumerated crimes, provided they were referred to the offices. This would add additional work to victim advocates and/or office staff.

**PERFORMANCE IMPLICATIONS**

**ADMINISTRATIVE IMPLICATIONS**

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

**TECHNICAL ISSUES**

**OTHER SUBSTANTIVE ISSUES**

**ALTERNATIVES**

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

Status quo

**AMENDMENTS**