LFC Requester:	

# AGENCY BILL ANALYSIS 2020 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:		<b>Date</b> <u>02/05/2020</u>		
Original	X Amendment		<b>Bill No</b> : <u>HB 337</u>	
Correction	Substitute			
<b>Sponsor:</b> Ho	ochman-Vigil	Agency Name and Code Number:	Administrative Office of the DA 26400	
J	appropriation for pre	Person Writing	Filemon Gonzalez	
<b>Γitle:</b> <u>p</u>	rosecution diversion program	Phone: 505-699-	7636 <b>Email</b> fgonzalez@da.state.nm.us	

### **SECTION II: FISCAL IMPACT**

# **APPROPRIATION (dollars in thousands)**

Appropriation		Recurring	Fund	
FY20	FY21	or Nonrecurring	Affected	
300.0	300.0	Recurring	General fund	

(Parenthesis ( ) Indicate Expenditure Decreases)

# **REVENUE** (dollars in thousands)

	Recurring	Fund		
FY20	FY21	FY22	or Nonrecurring	Affected
300.0	300.0	300.0	Recurring	General fund

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

	FY20	FY21	FY22	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: House bill 337 appropriates 250,000.00 to the general fund for the administrative office of the district attorneys to offset costs incurred for drug tests administered in the operation of the pre-prosecution diversion programs in the judicial districts

### 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** the funding's sole purpose should be for meeting the necessary expenses incurred in the operation of the administrative office of the district attorney. Currently the bill states that the funding would offset costs associated with drug testing which the administrative office of the district attorneys does not incur. This language as stated could limit the flexibility of spending. To fully offset costs needed the amount needed would be 300,000.00 every fiscal year.

### PERFORMANCE IMPLICATIONS

#### ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

### **TECHNICAL ISSUES**

### **OTHER SUBSTANTIVE ISSUES**

### **ALTERNATIVES**

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL consequences of not funding this bill would be that the administrative office of the district attorneys would to able to comply with its mission of providing fiscal, IT and administrative support to all the District Attorneys statewide to its fullest.

# **AMENDMENTS**

Since the legislation appropriates 250,000.00 we recommend using the language with in the bill to increase the appropriation to 300,000.00.

On lines 19, 20 and 21, the legislation states "to offset costs incurred for drug tests administered in the operation of pre-prosecution diversion programs" we recommend that the legislation state "to offset costs incurred for pre prosecution and diversion programs in the judicial districts.