

**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** January 24, 2020

**Bill No:** HB 43

**Sponsor:** McQueen and Anderson  
**Short Title:** Amending Sex Offender Registration

**Agency Name and Code**    AODA 264  
**Number:** \_\_\_\_\_  
**Person Writing**    Rosanna C Vazquez  
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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>3Year 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**

HB 43 amends the Sex Offender Registration requiring a non resident who is registered as a sex offender in another state, when a non resident is physically present in New Mexico for more than 10 consecutive days.

NMSA Section 29-11A-3 previously required a person registered as a sex offender in another state to register when employed, or enrolled in an educational institution.

**FISCAL IMPLICATIONS**

There does not appear for a need of an appropriation.

**SIGNIFICANT ISSUES**

The existing requirement in the law mandating registration when employed or attendance of a school in New Mexico give law enforcement the ability to find those people who violate the law, prior to a crime occurring.

**PERFORMANCE IMPLICATIONS**

Registration of a sex offender's presence in the state for ten days is almost impossible to enforce. It would depend on a person self-reporting or a national tracking system when crossing state lines. It however creates another crime for which a sex offender can be charged if and when a crime occurs within the state of New Mexico.

**ADMINISTRATIVE IMPLICATIONS**

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

**TECHNICAL ISSUES**

**OTHER SUBSTANTIVE ISSUES**

**ALTERNATIVES**

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

## **AMENDMENTS**