

LFC Requester:	
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**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:
Original **Amendment**
Correction **Substitute**

Date January 31, 2020
Bill No: Senate Bill 196

Sponsor: <u>Sedillo Lopez</u>	Agency Name and Code <u>AODA 264</u>
Short Title: <u>Public Defender Appropriation Innocence and Justice Project</u>	Number: _____
	Person Writing <u>Rosanna C Vazquez</u>
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY20	FY21		
	\$250,000.00	no	General fund and all remaining amounts revert back

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY20	FY21	FY22		

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(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY20	FY21	FY22	3Year 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

SB 196 is an appropriation to Public Defender Department for exploring the option of creating an innocence and justice project or other needs the department may have.

As background, The Innocence Project, begun in 1992 by Barry Scheck was begun to assist those persons wrongly accused of crimes. The burgeoning of DNA evidence and a Department of Justice Study citing eye-witness evidence was often incorrect brought the need for such an organization to light. In New Mexico, the UNM law Clinic has an innocence and justice project that is a not for profit. The UNM program is the only one in the state that does an in-depth investigation and coordinates DNA analysis for those wrongfully convicted of a crime.

FISCAL IMPLICATIONS

SIGNIFICANT ISSUES

Language allowing funding for use in public defender department for “other needs” is unduly vague. Tying the appropriation for appeals or investigation of Innocence and Justice cases or perhaps contract work would protect the appropriation from undue legal challenge.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

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