

## 2023 Legislative Session

- 1089 Bills Introduced
- 247 Passed the House and Senate
- 164 Tracked by AODA
- 211 Signed
- 14 Vetoed
- 20 Pocket Vetoed

Crime Bills that passed and were signed by the Governor:

- 1) **HB 234**- Additional Shoplifting crimes
  - a. The value of goods shoplifted over a 90-day period is aggregated for penalty/crime level purposes [over \$250 misdemeanor; over \$500 4<sup>th</sup> degree felony; over \$2,500 3<sup>rd</sup> degree felony; over \$20,000 2<sup>nd</sup> degree felony]
  - b. Aggravated shoplifting: using a weapon to retain possession of stolen goods. Third degree felony
  - c. Organized retail crime (2<sup>nd</sup> degree felony):
    1. Acting with others to steal merchandise worth \$2,500 or more
    2. Fencing stolen merchandise worth over \$2,500 (receiving, selling, purchasing)
    3. Organizing, recruiting, coordinating others to commit these crimes
- 2) **HB 9** states an adult can be charged with a misdemeanor if a juvenile accesses a firearm that was negligently stored; and can be charged with a 4<sup>th</sup> degree felony if the juvenile causes great bodily harm to another with the firearm that was negligently stored.
- 3) **SB 64** Prohibits a sentence of life without the possibility of parole for juveniles who commit murder.
  - a. If convicted of felony murder-guaranteed a parole hearing after 15 years
  - b. If convicted of 1<sup>st</sup> degree (willful and deliberate)-guaranteed a parole hearing after 20 yrs.
  - c. If convicted of multiple murders, guaranteed a parole hearing after 25 yrs.  
If the individual is denied parole at the hearing-guaranteed another hearing after five years, and every 5 years thereafter.
- 4) **HB 306** Purchase of firearms for another (Straw Purchase)
  - a. If you know the individual is a felon or that they intend to use the firearm in the furtherance of a crime, you are guilty of a fourth-degree felony.
- 5) **SB 215** Establishes that the sexual abuse of an animal (Bestiality) is a 4<sup>th</sup> degree felony.

**Bills that did not pass or were vetoed:**

- 1) **HB 173**-Child Witness Protective Measures Act
  - a. Would have allowed forensic interviews to be used in court under certain circumstances.

- b. Would allow children to participate via videotaped depositions.
  - c. Would allow for prior testimony in a previous proceeding to be used in future proceedings.
- 2) **HB 74**-Pretrial Detention Presumptions
  - a. Would have prevented defendants from being released on their own recognizance if they were already on pretrial release in a different matter.
- 3) **HB 157**-Cannabis Products—Packaging and Labeling Requirements Pertaining to Child Safety
  - a. Would have required packaging to be opaque.
  - b. Child-resistant
  - c. Without images or symbols that mimic products commonly marketed to children
  - d. or that resemble products that are known to be safe for child consumption.
- 4) **HB 158**-Chemical Blood Testing (Birchfield Fix)
- 5) **HB 155**-Agg Batt on a Peace Officer
  - a. Would have increased the penalty up to a 2<sup>nd</sup> degree felony.
- 6) **SB 119**- Financial Exploitation Act—would have created both criminal and civil causes of action.

**Bill Stopped as a result of Mr. Renteria’s Actions:**

- 1) **SB 128**-Would have taken away law enforcement’s ability to remove children from unsafe home environments and made it the sole responsibility of CYFD.

**DA Renteria’s Focus for Next Legislative Session (2024):**

Planning to secure the support of local legislators to change or enhance the “Hit and Run” laws.

- 1) NMSA 1978, 66-7-201. Accidents Involving Death or Personal Injuries
  - a. Currently requires a driver to remain at the scene of the accident.
    - 1. Where there is great bodily harm or death:
      - I. If the person fails to comply, they are guilty of a 4<sup>th</sup> degree felony.
      - II. If the person “knowingly fails to comply, they are guilty of a 3<sup>rd</sup> degree felony.
  - Under 66-8-101 Homicide by vehicle; Great Bodily Harm, if the driver was under the influence of alcohol or drugs, they are guilty of a 2<sup>nd</sup> degree felony (15 years).
  - Those who flee get lighter sentences b/c DUI cannot be proven.