

**AGENCY BILL ANALYSIS**

**2019 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:  

<table>
<thead>
<tr>
<th>Original</th>
<th>X Amendment</th>
<th>Correction</th>
<th>Substitute</th>
</tr>
</thead>
</table>

Date 2/18/19  
Bill No: SM47

Sponsor: Sen. Jacob Candelaria  
Agency Code: 924  
Person Writing: Daniel Manzano  
Phone: 505-670-3820  
Email: Daniel.Manzano@state.nm.us

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

<table>
<thead>
<tr>
<th>Appropriation</th>
<th>Recurring or Nonrecurring</th>
<th>Fund Affected</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY19</td>
<td>FY20</td>
<td></td>
</tr>
<tr>
<td>NFI</td>
<td>NFI</td>
<td></td>
</tr>
</tbody>
</table>

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

<table>
<thead>
<tr>
<th>Estimated Revenue</th>
<th>Recurring or Nonrecurring</th>
<th>Fund Affected</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY19</td>
<td>FY20</td>
<td>FY21</td>
</tr>
<tr>
<td>NFI</td>
<td>NFI</td>
<td>NFI</td>
</tr>
</tbody>
</table>

(Parenthesis ( ) Indicate Expenditure Decreases)
SECTIONS III: NARRATIVE

BILL SUMMARY

Synopsis: SM47 requests that the human services department convene a prison conversion task force to study the feasibility of converting correctional facilities, including state-operated prisons, privately operated prisons, county jails, municipal jails and privately operated jails, into drug and alcohol treatment facilities. The composition of the task force is delineated and November 1, 2019 is established as the deadline for a report to be submitted to the legislative health and services committee, the legislative finance committee and the appropriate interim committee.

FISCAL IMPLICATIONS
None noted.

SIGNIFICANT ISSUES
As per the FIR submitted in 2013 on HB588, Substance Abuse and Crime Prevention Act, the Administrative Office of the Courts stated that “research strongly supports diverting non-violent drug offenders from jail and prison to evidence-based treatment. Many such offenders are repeat offenders and will continue to commit crimes in support of their substance abuse/addiction. Successful treatment is more cost-effective than prison in that it helps the affected individual change their substance abusing behavior, thereby avoiding further criminal system costs.”

PERFORMANCE IMPLICATIONS
None noted.

ADMINISTRATIVE IMPLICATIONS
The Secretary of Public Education or a designee must participate in the taskforce.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP
HB342, Criminal Justice Reforms, addresses a number of aspects pertaining to criminal justice services including the behavioral health needs of offenders while they are incarcerated and upon release.

TECHNICAL ISSUES
The deadline for the taskforce generated report is somewhat short given the type and amount of research and input required.

OTHER SUBSTANTIVE ISSUES
None noted.
ALTERNATIVES
None noted.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL
Correctional facilities will continue to operate as they have historically and technical violations related to drug use will more than likely remain high.

AMENDMENTS
None.