

LFC Requester:	Theresa Edwards
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**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: Date 2/18/19
Original **Amendment** **Bill No:** SM47
Correction **Substitute**

Sponsor: Sen. Jacob Candelaria **Agency Code:** 924
Short Title: CONVERT PRISONS TO TREATMENT FACILITIES **Person Writing:** Daniel Manzano
Phone: 505-670-3820 **Email:** Daniel.Manzano@state.nm.us

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY19	FY20		
NFI	NFI		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY19	FY20	FY21		
NFI	NFI	NFI		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI	NFI	NFI			

(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: 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.