



# City of Santa Fe New Mexico

## Memorandum



**Date:** November 6, 2020

**To:** Quality of Life Committee, Finance Committee, Governing Body

**Via:** Erin K. McSherry, City Attorney EM  
EM

**From:** Kyle Hibner, City Prosecutor KH  
KH

**RE:** Drug Paraphernalia Amendments

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### ITEM AND ISSUE:

The Bill amends Section 16-15.2(C) to reclassify the possession, delivery, or manufactures of drug paraphernalia from a petty misdemeanor to a penalty assessment.

### BACKGROUND AND SUMMARY:

The Bill removes the criminal petty misdemeanor classification for violations of Section 16-15.2(C) and instead requires a penalty assessment of \$50. The removal of the petty misdemeanor classification removes the threat of having a drug paraphernalia conviction on an offender's record, potentially leading to future employment difficulties.

### ACTION REQUESTED:

Approve the Bill as presented.

### ATTACHMENTS:

Bill  
Fiscal Impact Report