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SENATE BILL 141

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY

William H. Payne

AN ACT

RELATING TO PUBLIC OFFICIALS; ENHANCING SENTENCES FOR FELONIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Criminal Sentencing Act is enacted to read:

"[NEW MATERIAL] FELONIES--PUBLIC OFFICIALS--ENHANCEMENT OF SENTENCES.--

A. When a separate finding of fact by the court or jury shows beyond a reasonable doubt that an offender is a public official and that the felony conviction relates to, arises out of or is in connection with the offender's holding of an elected office, the basic sentence may be increased by an additional fine not to exceed the value of the salary and fringe benefits paid to the offender, by virtue of holding an elected public office, after the commission of the first act

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1 that was a basis for the felony conviction.

2 B. As used in this section, "public official" means  
3 a person elected to an office in an election covered by the  
4 Campaign Reporting Act or a person appointed to an office that  
5 is subject to an election covered by that act."

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