

STATE OF NEW MEXICO

FIFTY-SEVENTH LEGISLATURE
SECOND SESSION, 2026

CONCURRENCE CALENDAR No. X

(1) SENATE BILL 100/aa	BURGLARY DEFINITION OF DWELLING /SFL AMENDED/ HJC AMENDED	SEN. NAVA/ SEN. TRUJILLO
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HOUSE JUDICARY COMMITTEE AMENDED

1. Strike all items of Senate Floor Amendment number 1.
2. On page 1, line 11, strike ""STRUCTURE"" and insert in lieu thereof ""EXTENSION OF A DWELLING"".
3. On page 2, line 2, after "aircraft", insert ", extension of a dwelling".
4. On page 2, line 5, after the comma, strike the remainder of the line and strike lines 6 through 13 and insert in lieu thereof: ""extension of a dwelling": (1) means an outdoor space that is: (a) physically attached to or immediately adjoining the dwelling; (b) enclosed by walls, fencing or other substantial barriers that restrict access; and (c) intended for and used as private living space by the dwelling's occupant; and (2) does not include: (a) any area readily visible from a public way, street or sidewalk; (b) any area customarily open to visitors, delivery persons or other members of the public in the ordinary course of business or social interaction, including front porches and pathways leading to primary entrances; FIFTY-SEVENTH LEGISLATURE SECOND SESSION, 2026 HJC/SB 100 Page 2 (c) open yards, fields, driveways or other unenclosed areas; or (d) any area where the configuration, lack of barriers or customary use would not support a reasonable expectation of privacy from unauthorized entry."".
5. On page 2, line 18, after "dwelling", insert ", an extension of a dwelling".
6. On page 2, line 21, after "dwelling", insert ", extension of a dwelling".
7. On page 3, line 5, after the comma, strike the remainder of the line and strike lines 6 through 13 and insert in lieu thereof: ""extension of a dwelling": (1) means an outdoor space that is: (a) physically attached to or immediately adjoining the dwelling; (b) enclosed by walls, fencing or other substantial barriers that restrict access; and (c) intended for and used as private living space by the dwelling's occupant; and (2) does not include: (a) any area readily visible from a public way, street or sidewalk; (b) any area customarily open to visitors, delivery persons or other members of the public in the ordinary course of business or social interaction, including front porches and pathways leading to primary entrances; (c) open yards, fields, driveways or other unenclosed areas; or FIFTY-SEVENTH LEGISLATURE SECOND SESSION, 2026 HJC/SB 100 Page 3 (d) any area where the configuration, lack of barriers or customary use would not support a reasonable expectation of privacy from unauthorized entry."".

