

HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR
HOUSE BILL 164

46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

AN ACT

RELATING TO CRIMES; PROHIBITING CRIMINAL DAMAGE TO PROPERTY
BELONGING TO A HOUSEHOLD MEMBER.

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

Section 1. A new section of Chapter 30, Article 15 NMSA
1978 is enacted to read:

"~~[NEW MATERIAL]~~ CRIMINAL DAMAGE TO PROPERTY OF A HOUSEHOLD
MEMBER.--

A. Criminal damage to property of a household
member consists of intentionally damaging any real or personal
property of a household member by another household member
without the consent of all owners of the property.

B. Whoever commits criminal damage to property of a
household member is guilty of a petty misdemeanor, except that
when the damage to the property amounts to more than one

.150970.1

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1 thousand dollars (\$1,000), the crime is a fourth degree felony.

2 C. As used in this section, "household member"
3 means a spouse, former spouse or family member, including a
4 relative, parent, present or former stepparent, present or
5 former in-law, co-parent of a child or person with whom a
6 person has had a continuing personal relationship.

7 Cohabitation is not necessary to be deemed a household member
8 for the purposes of this section."

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