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HOUSE BILL 255

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Peter Wirth

FOR THE CORRECTIONS OVERSIGHT, COURTS AND JUSTICE COMMITTEE

AN ACT

RELATING TO CRIMINAL LAW; CREATING A CRIMINAL OFFENSE OF
SIMULATING LEGAL PROCESS.

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

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

"~~[NEW MATERIAL]~~ SIMULATING LEGAL PROCESS. --

A. Simulating legal process consists of knowingly
issuing or delivering to a person a document that falsely
simulates civil or criminal process.

B. Whoever commits simulating legal process is
guilty of a misdemeanor.

C. As used in this section, "civil or criminal
process" means a document or order, including a summons, lien,
complaint, warrant, injunction, writ, notice, pleading or

underscored material = new
[bracketed material] = delete

1 subpoena, that is issued by a court or that is filed or
2 recorded for the purpose of:

3 (1) exercising jurisdiction;

4 (2) representing a claim against a person or
5 property;

6 (3) directing a person to appear before a
7 court or tribunal; or

8 (4) directing a person to perform or refrain
9 from performing a specified act. "