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HOUSE BILL 816

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

INTRODUCED BY

Dona G. Irwin

AN ACT

RELATING TO LAW ENFORCEMENT; AMENDING THE ANTITERRORISM ACT TO
INCLUDE THE NEW MEXICO RANGERS IN THE DEFINITION OF "LAW
ENFORCEMENT OFFICER".

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

Section 1. Section 30-20A-2 NMSA 1978 (being Laws 1990,
Chapter 66, Section 2) is amended to read:

"30-20A-2. DEFINITIONS.--As used in the Antiterrorism
Act:

A. "civil disorder" means [~~any~~] a planned act of
violence by an assemblage of two or more persons with the
intent to cause damage or injury to another individual or [~~his~~]
the individual's property;

B. "destructive device" means:

(1) [~~any~~] an explosive, incendiary or poison

underscored material = new
[bracketed material] = delete

1 gas:

- 2 (a) bomb;
- 3 (b) grenade;
- 4 (c) rocket having a propellant charge of
5 more than four ounces;
- 6 (d) missile having an explosive or
7 incendiary charge of more than one-quarter ounce;
- 8 (e) mine; or
- 9 (f) similar device;

10 (2) ~~any~~ a type of weapon that can expel or
11 may be readily converted to expel a projectile by the action of
12 an explosive or other propellant, the barrel or barrels of
13 which have a bore of more than six-tenths inch in diameter,
14 except a shotgun, shotgun shell or muzzle loading firearm that
15 is generally recognized as particularly suitable for sporting
16 purposes; or

17 (3) ~~any~~ a part or combination of parts
18 either designed or intended for use in converting or assembling
19 any device described in Paragraphs (1) and (2) of this
20 subsection.

21 The term "destructive device" shall not include ~~any~~ a
22 device that is neither designed nor redesigned for use as a
23 weapon;

24 C. "firearm" means ~~any~~ a weapon that can expel or
25 is designed to or may readily be converted to expel a

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underscored material = new
[bracketed material] = delete

1 projectile by the action of an explosion, the frame or receiver
2 of any such weapon, [~~any~~] a firearm muffler or a firearm
3 silencer. "Firearm" includes [~~any~~] a handgun, rifle or
4 shotgun; and

5 D. "law enforcement officer" means [~~any~~] an
6 employee of a police or public safety department administered
7 by the state or [~~any~~] a political subdivision of the state
8 where the employee is responsible for the prevention and
9 detection of crime and the enforcement of the penal, traffic or
10 highway laws of this state. "Law enforcement officer" includes
11 [~~any~~] a member of the New Mexico national guard; [~~any~~] a peace
12 officer of the United States, [~~any~~] a state, [~~any~~] a political
13 subdivision of a state or the District of Columbia; [~~any~~] a
14 member of the New Mexico mounted patrol or the national guard,
15 as defined in 10 U.S.C. Sec. 101(9); [~~any~~] a member of the
16 organized militia of [~~any~~] a state or territory of the United
17 States, the commonwealth of Puerto Rico or the District of
18 Columbia not included within the definition of national guard;
19 and [~~any~~] a member of the armed forces of the United States.
20 "Law enforcement officer" also means [~~any~~] a member of the New
21 Mexico rangers or a person or entity acting as a contractor for
22 any other law enforcement officer, police or public safety
23 department described in this section."