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HOUSE BILL 494

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Mary Helen Garcia

AN ACT

RELATING TO CRIMINAL LAW; CREATING THE CRIME OF BULLYING;
PROVIDING PENALTIES.

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] BULLYING.--

A. Bullying consists of a pattern of intentional
conduct, including physical, verbal, written or electronic
communication, that creates a hostile environment and
substantially interferes with another person's physical or
psychological well-being and that is:

(1) motivated by an actual or perceived
personal characteristic, including race, national origin,
marital status, sex, sexual orientation, gender identity,

underscoring material = new
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1 religion, ancestry, physical attribute, socioeconomic status,
2 familial status or a physical or mental ability or disability;
3 or

4 (2) threatening or seriously intimidating.

5 B. Whoever commits bullying is guilty of a petty
6 misdemeanor. Whoever commits bullying that results in bodily
7 harm or substantial emotional distress is guilty of a
8 misdemeanor."

9 SECTION 2. EFFECTIVE DATE.--The effective date of the
10 provisions of this act is July 1, 2011.

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