1	SENATE BILL 439
2	50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011
3	INTRODUCED BY
4	Cynthia Nava
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10	AN ACT
11	RELATING TO FORFEITURE; PROVIDING THAT MONEY OR PROPERTY
12	OBTAINED AS A RESULT OF AN EMBEZZLEMENT COMMITTED AGAINST A
13	SCHOOL DISTRICT OR A PUBLIC SCHOOL IS SUBJECT TO FORFEITURE.
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15	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:
16	SECTION 1. Section 30-16-8 NMSA 1978 (being Laws 1963,
17	Chapter 303, Section 16-7, as amended) is amended to read:
18	"30-16-8. EMBEZZLEMENT <u>FORFEITURE</u>
19	A. Embezzlement consists of a person embezzling or
20	converting to the person's own use anything of value, with
21	which the person has been entrusted, with fraudulent intent to
22	deprive the owner thereof.
23	B. Whoever commits embezzlement when the value of
24	the thing embezzled or converted is two hundred fifty dollars
25	(\$250) or less is guilty of a petty misdemeanor.
	.184839.1SA

<u>underscored material = new</u> [bracketed material] = delete C. Whoever commits embezzlement when the value of the thing embezzled or converted is over two hundred fifty dollars (\$250) but not more than five hundred dollars (\$500) is guilty of a misdemeanor.

D. Whoever commits embezzlement when the value of the thing embezzled or converted is over five hundred dollars (\$500) but not more than two thousand five hundred dollars (\$2,500) is guilty of a fourth degree felony.

E. Whoever commits embezzlement when the value of the thing embezzled or converted is over two thousand five hundred dollars (\$2,500) but not more than twenty thousand dollars (\$20,000) is guilty of a third degree felony.

F. Whoever commits embezzlement when the value of the thing embezzled or converted exceeds twenty thousand dollars (\$20,000) is guilty of a second degree felony.

<u>G. Money or property obtained as a result of an</u> <u>embezzlement committed against a school district or a public</u> <u>school is subject to forfeiture pursuant to the provisions of</u> <u>the Forfeiture Act.</u>"

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

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