

HOUSE BILL 276

**50TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2012**

INTRODUCED BY

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AN ACT

RELATING TO CRIMINAL LAW; ENACTING "CAYLEE'S LAW"; CREATING NEW  
CRIMES OF FAILURE TO REPORT THE DISAPPEARANCE OF A CHILD AND  
FAILURE TO REPORT THE DEATH OF A CHILD; 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] FAILURE TO REPORT THE DISAPPEARANCE OF A  
CHILD--FAILURE TO REPORT THE DEATH OF A CHILD.--

A. Failure to report the disappearance of a child  
consists of a parent or guardian having the care, custody and  
control of a child under fourteen years of age failing to  
notify a police officer or an appropriate law enforcement  
agency of the disappearance of the child within twenty-four  
hours from when the parent or guardian knew or should have

.187165.1

underscored material = new  
[bracketed material] = delete

underscored material = new  
[bracketed material] = delete

1 known that the child was missing.

2 B. Whoever commits failure to report the  
3 disappearance of a child is guilty of a fourth degree felony.  
4 Whoever commits failure to report the disappearance of a child  
5 when the circumstances of the child's disappearance would lead  
6 a reasonable person to believe that the child was in danger of  
7 physical harm is guilty of a third degree felony.

8 C. Failure to report the death of a child consists  
9 of a parent or guardian having the care, custody and control of  
10 a child under fourteen years of age failing to notify a police  
11 officer or an appropriate law enforcement agency of the death  
12 of the child within twenty-four hours from when the parent or  
13 guardian had reason to believe that the child had died and the  
14 death did not occur while the child was under the care of a  
15 health care provider or emergency medical personnel.

16 D. Whoever commits failure to report the death of a  
17 child is guilty of a fourth degree felony. Whoever commits  
18 failure to report the death of a child when the circumstances  
19 would lead a reasonable person to believe that the death  
20 occurred as a result of a crime is guilty of a third degree  
21 felony."

22 SECTION 2. EFFECTIVE DATE.--The effective date of the  
23 provisions of this act is July 1, 2012.

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