

HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR
HOUSE BILL 186

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

AN ACT

RELATING TO CRIMINAL LAW; EXTENDING THE TIME LIMITATION FOR
PROSECUTING THE CRIMES OF CONSPIRACY AND TAMPERING WITH
EVIDENCE TO COINCIDE WITH THE TIME LIMITATION FOR THE
UNDERLYING CRIME; PROVIDING NO TIME LIMITATION FOR PROSECUTING
SECOND DEGREE MURDER.

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

SECTION 1. Section 30-1-8 NMSA 1978 (being Laws 1963,
Chapter 303, Section 1-8, as amended) is amended to read:

"30-1-8. TIME LIMITATIONS FOR COMMENCING PROSECUTION.--A
person shall not be prosecuted, tried or punished in any court
of this state unless the indictment is found or information or
complaint is filed within the time as provided:

A. for a second degree felony, within six years
from the time the crime was committed;

.196455.2

underscored material = new
[bracketed material] = delete

1 B. for a third or fourth degree felony, within five
2 years from the time the crime was committed;

3 C. for a misdemeanor, within two years from the
4 time the crime was committed;

5 D. for a petty misdemeanor, within one year from
6 the time the crime was committed;

7 E. for the crime of conspiracy, within the same
8 time period as the highest crime conspired to be committed;

9 F. for the crime of tampering with evidence, within
10 the same time period as the highest crime for which the
11 tampering with evidence was committed;

12 ~~[E.]~~ G. for any crime against or violation of
13 Section 51-1-38 NMSA 1978, within three years from the time the
14 crime was committed;

15 ~~[F.]~~ H. for a felony pursuant to Section 7-1-71.3,
16 7-1-72 or 7-1-73 NMSA 1978, within five years from the time the
17 crime was committed; provided that for a series of crimes
18 involving multiple filing periods within one calendar year, the
19 limitation shall begin to run on December 31 of the year in
20 which the crimes occurred;

21 ~~[G.]~~ I. for an identity theft crime pursuant to
22 Section 30-16-24.1 NMSA 1978, within five years from the time
23 the crime was discovered;

24 ~~[H.]~~ J. for any crime not contained in the Criminal
25 Code or where a limitation is not otherwise provided for,

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