

HOUSE SAFETY AND CIVIL AFFAIRS COMMITTEE SUBSTITUTE FOR
HOUSE BILLS 172 & 196

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

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
A FIRST DEGREE FELONY OR 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, except for murder in
the second degree, within six years from the time the crime was

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underscored material = new
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1 committed;

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

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

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

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

11 F. for the crime of tampering with evidence, within
12 the same time period as the highest crime for which the
13 tampering with evidence was committed would be prosecuted;

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

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

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

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