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SENATE BILL 172

**54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020**

INTRODUCED BY

Craig W. Brandt

AN ACT

RELATING TO CRIME; CREATING THE CRIME OF MAKING A THREAT OF A SCHOOL SHOOTING OR A THREAT OF A SHOOTING IN A PLACE THAT IS OPEN TO THE PUBLIC.

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]~~ MAKING A THREAT OF A SCHOOL SHOOTING OR A THREAT OF A SHOOTING IN A PLACE THAT IS OPEN TO THE PUBLIC.--

A. It is unlawful for a person to make a threat of a school shooting or a shooting in a place that is open to the public.

B. Whoever commits making a threat of a school shooting or a threat of a shooting in a place that is open to the public is guilty of a fourth degree felony.

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C. As used in this section:

(1) "school" means:

(a) the buildings and grounds, including playgrounds, playing fields and parking areas and any school bus, of any elementary school, secondary school, junior high school, high school, college or university; or

(b) any other buildings or grounds, including playing fields and parking areas that are not school property, in or on which school or school-related activities are conducted for any elementary school, secondary school, junior high school, high school, college or university; and

(2) "threat of a school shooting or a threat of a shooting in a place that is open to the public" means a threat to bring a firearm to a school or public place with the intent to:

(a) place a person or group of persons in fear of great bodily harm;

(b) prevent or interrupt the occupation or use of a school building; or

(c) cause a response to the threat by an official or volunteer agency organized to deal with emergencies."