

1 HOUSE BILL 155

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

4 Andrea Reeb and William "Bill" R. Rehm

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10 AN ACT

11 RELATING TO CRIME; INCREASING THE PENALTY FOR AGGRAVATED
12 BATTERY UPON A PEACE OFFICER.

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

15 SECTION 1. Section 30-22-25 NMSA 1978 (being Laws 1971,
16 Chapter 265, Section 5) is amended to read:

17 "30-22-25. AGGRAVATED BATTERY UPON A PEACE OFFICER.--

18 A. Aggravated battery upon a peace officer consists
19 of the unlawful touching or application of force to the person
20 of a peace officer with intent to injure that peace officer
21 while [~~he~~] the officer is in the lawful discharge of [~~his~~] the
22 officer's duties.

23 B. Whoever commits aggravated battery upon a peace
24 officer, inflicting an injury to the peace officer [~~which~~] that
25 is not likely to cause death or great bodily harm, but does

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underscored material = new
[bracketed material] = delete

underscoring material = new
~~[bracketed material] = delete~~

1 cause painful temporary disfigurement or temporary loss or
2 impairment of the functions of any member or organ of the body,
3 is guilty of a fourth degree felony.

4 C. Whoever commits aggravated battery upon a peace
5 officer inflicting great bodily harm, or does so with a deadly
6 weapon or in any manner whereby great bodily harm or death can
7 be inflicted, is guilty of a ~~[third]~~ second degree felony."

8 SECTION 2. EFFECTIVE DATE.--The effective date of the
9 provisions of this act is July 1, 2023.