

**FIFTY-SIXTH LEGISLATURE
FIRST SESSION, 2023**

February 21, 2023

Mr. Speaker:

Your **CONSUMER & PUBLIC AFFAIRS COMMITTEE**, to whom has been referred

HOUSE BILL 225

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 4, between lines 17 and 18, insert the following new section:

"**SECTION 2.** Section 31-26-4 NMSA 1978 (being Laws 1994, Chapter 144, Section 4, as amended) is amended to read:

"31-26-4. VICTIM'S RIGHTS.--A victim shall have the right to:

A. be treated with fairness and respect for the victim's dignity and privacy throughout the criminal justice process;

B. timely disposition of the case;

C. be reasonably protected from the accused throughout the criminal justice process;

D. notification of court proceedings;

E. attend all public court proceedings the accused has the right to attend;

F. confer with the prosecution;

G. make a statement to the court at sentencing and at any post-sentencing hearings for the accused;

H. restitution from the person convicted of the criminal offense that caused the victim's loss or injury;

I. information about the conviction, sentencing, imprisonment, escape or release of the accused;

J. have the prosecuting attorney notify the victim's employer, if requested by the victim, of the necessity of the victim's cooperation and testimony in a court proceeding that may

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necessitate the absence of the victim from work for good cause;

K. promptly receive any property belonging to the victim that is being held for evidentiary purposes by a law enforcement agency or the prosecuting attorney, unless there are compelling evidentiary reasons for retention of the victim's property;

L. be informed by the court at a sentencing proceeding that the offender is eligible to earn meritorious deductions from the offender's sentence and the amount of meritorious deductions that may be earned by the offender; and

M. be notified by the district attorney of the availability of and procedures to apply for crime victims reparation, including the fact that any such recovery shall be offset by any recovery or eligibility for recovery available from third party sources, including workers compensation, private insurance or settlements from lawsuits, pursuant to Section 31-22-14 NMSA 1978.".,

and thence referred to the **JUDICIARY COMMITTEE.**

Respectfully submitted,

Joanne J. Ferrary, Chair

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

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The roll call vote was 5 For 0 Against
Yes: 5
No: 0
Excused: Romero, A.
Absent: None

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