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HOUSE BILL 718

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

MIMI STEWART

FOR THE COURTS, CORRECTIONS AND CRIMINAL JUSTICE COMMITTEE

AN ACT

RELATING TO CRIMINAL LAW; AMENDING AN ELEMENT OF THE OFFENSE OF  
KIDNAPPING.

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

Section 1. Section 30-4-1 NMSA 1978 (being Laws 1963,  
Chapter 303, Section 4-1, as amended) is amended to read:

"30-4-1. KIDNAPPING. --

A. Kidnapping is the unlawful taking, restraining,  
transporting or confining of a person, by force, intimidation or  
deception, with intent:

(1) that the victim be held for ransom;

(2) that the victim be held as a hostage or  
shield and confined against his will;

(3) that the victim be held to service against  
the victim's will; or

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(4) to inflict death, physical injury or a sexual offense on the victim when the unlawful taking, restraining, transporting or confining of the victim is not merely incidental to the infliction of death, a physical injury or a sexual offense on the victim

B. Whoever commits kidnapping is guilty of a first degree felony, except that he is guilty of a second degree felony when he voluntarily frees the victim in a safe place and does not inflict great bodily harm upon the victim "

Section 2. EFFECTIVE DATE. -- The effective date of the provisions of this act is July 1, 1997.

**State of New Mexico**  
**House of Representatives**

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**FORTY-THIRD LEGISLATURE**  
**FIRST SESSION, 1997**

February 22, 1997

Mr. Speaker:

Your JUDICIARY COMMITTEE, to whom has been referred

HOUSE BILL 718

has had it under consideration and reports same with  
recommendation that it DO PASS.

Respectfully submitted,

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Thomas P. Foy, Chairman

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FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

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Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 8 For 1 Against

Yes: 8

No: Alwin

Excused: Foy, Luna, Rios, Sanchez

Absent: None

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1 FORTY-THIRD LEGISLATURE  
2 FIRST SESSION, 1997

HB 718/a

3  
4 March 8, 1997

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6 Mr. President:

7  
8 Your JUDICIARY COMMITTEE, to whom has been referred

9 HOUSE BILL 718

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

- 13  
14 1. On page 2, line 2, after "victim" insert "except".  
15  
16 2. On page 2, line 3, strike the word "not".

17  
18 Respectfully submitted,

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22 Fernando R. Macias, Chairman

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25 Adopted \_\_\_\_\_

(Chief Clerk)

Not Adopted \_\_\_\_\_

(Chief Clerk)

**FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997**

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Date \_\_\_\_\_

The roll call vote was 4 For 3 Against

Yes: 4

No: Payne, Stockard, Vernon

Excused: Sanchez

Absent: None

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