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SENATE BILL 542

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

INTRODUCED BY

L. SKIP VERNON

AN ACT

RELATING TO CRIMES; REMOVING THE TIME LIMITATION FOR PROSECUTION, TRIAL OR PUNISHMENT OF CAPITAL AND FIRST DEGREE FELONIES.

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.--No person shall [hereafter] be prosecuted, tried or punished in any court of this state unless the indictment [shall be] is found or information or complaint is filed therefor within the time [hereinafter] as provided:

[A. for a capital felony, within fifteen years from the time the crime was committed;

B. for a first degree felony, within fifteen years

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from the time the crime was committed;

C. A. for a second degree felony, within six years from the time the crime was committed:

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

[E.] C. for a misdemeanor, within two years from the time the crime was committed;

[F.] D. for a petty misdemeanor, within one year from the time the crime was committed:

[G] E. for any crime against or violation of the revenue laws of this state of Section 51-1-38 NMSA 1978, within three years from the time the crime was committed; [and

H.] F. for any crime not contained in the Criminal Code, or where a limitation is not otherwise provided for, within three years from the time the crime was committed; and

G. for a capital felony or a first degree felony, no <u>limitation period shall exist and prosecution for these crimes</u> may commence at any time after the occurrence of the crime."

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

- 2 -

1 FORTY-THIRD LEGISLATURE 2 FIRST SESSION, 1997 5 February 19, 1997 6 7 Mr. President: 9 Your **PUBLIC AFFAIRS COMMITTEE**, to whom has been **10** 11 referred 12 13 **SENATE BILL 542** 14 **15** has had it under consideration and reports same with 16 recommendation that it **DO PASS**, and thence referred to the 17 JUDICIARY COMMITTEE. **18 19** 20 Respectfully submitted, 21 22 23 24 25 Shannon Robinson, Chairman

	Adopted_	Not Adopted	
1	-	(Chief Clerk)	(Chief Clerk)
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3			
4		Date	
5			
6			
7	The roll	call vote was <u>5</u> For <u>0</u> Against	
8	Yes:	5	
9	No:	0	
10	Excused:	Feldman, Garcia, Rodarte, Smith	
11	Absent:	None	
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3	FIRST SESSION, 1997
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6	March 5, 1997
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8	Mr. President:
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10	Your JUDICIARY COMMITTEE , to whom has been referred
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12	SENATE BILL 542
13	
14	has had it under consideration and reports same with
15	
16	recommendation that it DO PASS , amended as follows:
17	
18	1. On page 2, line 16, after "degree" insert "violent".
19	
20	The roll call vote on Amendment No. 1 was 4 For 2 Against.
21	
22	Yes: 4
23	No: Payne, Vernon
24	Excused: Sanchez, Stockard
25	Absent: None

Respectfully submitted,

FORTY-THIRD LEGISLATURE

SB 542/a

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3			Fernando R. Macias, Chairma	n
4				
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6				
7	Adopted_		Not Adopted	
8		(Chief Clerk)	(Chief Cler	·k)
9				
10				
11		Date		
12				
13				
14	The roll	call vote was <u>5</u> Fo	r <u>1</u> Agai nst	
15	Yes:	5		
16	No:	McSorl ey		
17	Excused:	Sanchez, Stockard		
18	Absent:	None		
19				
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