SENATE BILL 746

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

INTRODUCED BY

r. l. stockard

AN ACT

RELATING TO CRIMINAL LAW; CREATING A NEW CRIMINAL OFFENSE OF DISARMING A LAW ENFORCEMENT OFFICER OR CORRECTIONS OFFICER; PROVIDING A PENALTY; ENACTING A NEW SECTION OF THE CRIMINAL CODE.

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] DISARMING A LAW ENFORCEMENT OFFICER OR CORRECTIONS OFFICER.--

A. Disarming a law enforcement officer or corrections officer consists of knowingly:

(1) removing a firearm or weapon from the person of a law enforcement officer or corrections officer when the officer is acting within the scope of his duties; or

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1   (2)   depriving a law enforcement officer or

2   corrections officer of the use of a firearm or weapon when the

3   officer is acting within the scope of his duties.

4   B.   The provisions of Subsection A of this act shall

5   not apply when a law enforcement officer or corrections officer

6   is engaged in felonious conduct.

7   C.   Whoever commits disarming a law enforcement

8   officer or corrections officer is guilty of a fourth degree

9   felony."

10   Section 2.   EFFECTIVE DATE.--The effective date of the

11   provisions of this act is July 1, 1997.

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FORTY-THIRD LEGISLATURE   **SB 746/a**

FIRST SESSION, 1997

March 5, 1997

Mr. President:

Your **JUDICIARY COMMITTEE**, to whom has been referred

SENATE BILL 746

has had it under consideration and reports same with

recommendation that it **DO PASS**, amended as follows:

1.   On page 1, line 12, strike "LAW ENFORCEMENT OFFICER OR CORRECTIONS" and insert in lieu thereof "PEACE".

2.   On page 1, lines 19 and 20, strike "LAW ENFORCEMENT OFFICER OR CORRECTIONS" and insert in lieu thereof "PEACE".

3.   On page 1, lines 21 and 22, strike "law enforcement officer or corrections" and insert in lieu thereof "peace".

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Underscored material = new
[bracketed material] = delete

    4.   On page 1, line 24, strike "law enforcement officer or corrections" and insert in lieu thereof "peace".

    5.   On page 2, lines 1 and 2, strike "law enforcement officer or corrections" and insert in lieu thereof "peace".

    6.   On page 2, line 5, strike "law enforcement officer or corrections" and insert in lieu thereof "peace".

    7.   On page 2, line 6, strike "felonious" and insert in lieu thereof "criminal".

    8.   On page 2, lines 7 and 8, strike "law enforcement officer or corrections" and insert in lieu thereof "peace".

    9.   On page 2, line 8, strike "fourth" and insert in lieu thereof "third".

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Respectfully submitted,

_____

Fernando R. Macias, Chairman

Adopted_____   Not Adopted_____

         (Chief Clerk)   (Chief Clerk)

Date _____

The roll call vote was 7 For 1 Against

Yes: 7

No: Sanchez

Excused: 0

Absent: None

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State of New Mexico

House of Representatives

FORTY-THIRD LEGISLATURE

FIRST SESSION, 1997

March 19, 1997

Mr. Speaker:

Your **JUDICIARY COMMITTEE,** to whom has been referred

SENATE BILL 746, as amended

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

Respectfully submitted,

_____

Thomas P. Foy, Chairman

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Adopted _____   Not Adopted _____
      (Chief Clerk)   (Chief Clerk)

               Date _____

The roll call vote was_9_ For_2_ Against

Yes: 9

No: Pederson, Stewart

Excused: Rios, Sanchez

Absent: None

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