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HOUSE BILL 88

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

R. DAVID PEDERSON

FOR THE COURTS, CORRECTIONS AND CRIMINAL JUSTICE COMMITTEE

AN ACT

**RELATING TO CRIMINAL LAW; CLARIFYING THE TIME LIMITATION FOR
COMMENCING PROSECUTION OF A FIRST DEGREE FELONY; AMENDING A
SECTION OF THE NMSA 1978.**

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 be prosecuted, tried or punished in any court
of this state unless the indictment is found or information or
complaint is filed therefor within the time as provided:**

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

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

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1 C. for a misdemeanor, within two years from the
2 time the crime was committed;

3 D. for a petty misdemeanor, within one year from
4 the time the crime was committed;

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

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

11 G. for a capital felony or a first degree
12 [~~violent~~] felony, no limitation period shall exist and
13 prosecution for these crimes may commence at any time after
14 the occurrence of the crime. "

15 Section 2. EFFECTIVE DATE. --The effective date of the
16 provisions of this act is July 1, 1998.

1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998
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6 January 28, 1998
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8 Mr. Speaker:
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10 Your JUDICIARY COMMITTEE, to whom has been referred
11

12 HOUSE BILL 88
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14 has had it under consideration and reports same with
15 recommendation that it DO PASS, and thence referred to the
16 APPROPRIATIONS AND FINANCE COMMITTEE.

17 Respectfully submitted,
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21 _____
22 Thomas P. Foy, Chairman
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1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998

3 HJC/HB 88

Page 4

4 Adopted _____ Not Adopted _____

5
6 (Chief Clerk)

(Chief Clerk)

7
8 Date _____

9
10 The roll call vote was 13 For 0 Against

11 Yes: 13

12 Excused: None

13 Absent: None

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1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998

3
4 February 6, 1998

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6
7 Mr. Speaker:

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9 Your APPROPRIATIONS AND FINANCE COMMITTEE, to
10 whom has been referred

11 HOUSE BILL 88

12
13 has had it under consideration and reports same with
14 recommendation that it DO PASS.

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16 Respectfully submitted,

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20 _____
21 Max Coll, Chairman
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1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998

3 Page 6

4 Adopted _____ Not Adopted _____

5
6 (Chief Clerk)

(Chief Clerk)

7
8 Date _____

9
10 The roll call vote was 10 For 0 Against

11 Yes: 10

12 Excused: Abeyta, Garcia, MH, Knowles, Marquardt, Pearce, Picraux,
13 Salazar, Vigil

14 Absent: None

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FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

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FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

February 13, 1998

Mr. President:

Your JUDICIARY COMMITTEE, to whom has been referred

HOUSE BILL 88

has had it under consideration and reports same with
recommendation that it DO PASS, and thence referred to the
FINANCE COMMITTEE.

Respectfully submitted,

Fernando R. Macias, Chairman

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FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

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Adopted _____ Not

Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 7 For 0 Against

Yes: 7

No: 0

Excused: McSorley

Absent: None

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FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

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FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

February 16, 1998

Mr. President:

Your FINANCE COMMITTEE, to whom has been referred

HOUSE BILL 88

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

Respectfully submitted,

Ben D. Altamirano, Chairman

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FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

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Adopted _____ Not

Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 6 For 0 Against

Yes: 6

No: None

Excused: Aragon, Campos, Carraro, Eisenstadt, Lyons

Absent: None

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