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SENATE BILL 78

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

INTRODUCED BY

WILLIAM H. PAYNE

AN ACT

RELATING TO CORRECTIONS; EXPANDING THE ELEMENTS OF THE CRIME OF ESCAPE FROM AN INMATE-RELEASE PROGRAM; AMENDING A SECTION OF THE NMSA 1978.

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

Section 1. Section 33-2-46 NMSA 1978 (being Laws 1969, Chapter 166, Section 4, as amended) is amended to read:

"33-2-46. INMATE-RELEASE PROGRAM - ESCAPE. -- [~~Any~~]

A. A prisoner whose limits of confinement have been extended or who has been granted a visitation privilege under the inmate-release program, who willfully fails to return to the designated place of confinement within the time prescribed, with the intent not to return, is guilty of an escape.

B. A prisoner who, without authorization,

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willfully fails to report to an approved inmate-release program is guilty of an escape. A prisoner who, without authorization, willfully departs from an approved inmate-release program is guilty of an escape.

C. Whoever is convicted of an escape under the provisions of this section is guilty of a third degree felony and shall be sentenced pursuant to the provisions of Section 31-18-15 NMSA 1978. "

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

1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998
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6 January 26, 1998
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8 Mr. President:
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10 Your COMMITTEES' COMMITTEE, to whom has been referred
11

12 SENATE BILL 78
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14 has had it under consideration and finds same to be GERMANE,
15 pursuant to Senate Executive Message No. 11, and thence referred to
16 the JUDICIARY COMMITTEE.
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19 Respectfully submitted,
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25 _____
Manny M. Aragon, Chairman

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Adopted _____ Not Adopted _____

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(Chief Clerk)

(Chief Clerk)

Date _____

S0078CC1

1 FORTY-THIRD LEGISLATURE

2 SECOND SESSION, 1998

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4
5 February 2, 1998

6
7 Mr. President:

8
9 Your JUDICIARY COMMITTEE, to whom has been referred

10
11 SENATE BILL 78

12
13 has had it under consideration and reports same with recommendation
14 that it DO PASS, and thence referred to the FINANCE COMMITTEE.
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16 Respectfully submitted,

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19 Fernando R. Macias, Chairman
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(Chief Clerk)

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Date _____

The roll call vote was 4 For 3 Against

Yes: 4

No: Lopez, Sanchez, McSorley

Excused: Tsosie

Absent: None

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1 FORTY-THIRD LEGISLATURE

2 SECOND SESSION, 1998

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6 February 11, 1998

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8 Mr. President:

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10 Your FINANCE COMMITTEE, to whom has been referred

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12 SENATE BILL 78

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

16
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18 Respectfully submitted,

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23 Ben D. Altamirano, Chairman

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

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Date _____

The roll call vote was 6 For 0 Against

Yes: 6

No: None

Excused: Aragon, Campos, Carraro, Eisenstadt, Ingle

Absent: None

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1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998
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6 February 18, 1998
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8 Mr. Speaker:
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10 Your JUDICIARY COMMITTEE, to whom has been referred
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12 SENATE BILL 78
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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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22 Thomas P. Foy, Chairman
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1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998

3 Page 10

4 Adopted _____ Not Adopted _____
5 (Chief Clerk) (Chief Clerk)

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7 Date _____

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9 The roll call vote was 7 For 0 Against

10 Yes: 7

11 Excused: Alwin, Garcia, King, Luna, Rios, Sanchez

12 Absent: None

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