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SENATE BILL 85

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

INTRODUCED BY

MARK L. BOITANO

AN ACT

RELATING TO CRIMINAL LAW; MAKING IT UNLAWFUL TO POSSESS A CONTROLLED SUBSTANCE, A CONTROLLED SUBSTANCE ANALOG OR A COUNTERFEIT SUBSTANCE IN A CORRECTIONAL FACILITY; ENACTING A NEW SECTION OF THE CONTROLLED SUBSTANCES ACT.

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

Section 1. A new section of the Controlled Substances Act is enacted to read:

" NEW MATERIAL CONTROLLED SUBSTANCE-- CONTROLLED SUBSTANCE ANALOG-- COUNTERFEIT SUBSTANCE-- POSSESSION IN CORRECTIONAL FACILITY PROHIBITED. --

A. Notwithstanding the provisions of Section 30-31-23 NMSA 1978, it is unlawful for a person intentionally to possess a controlled substance while on the premises of a correctional facility operated by the corrections department

. 120592. 2GJ

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or operated for the corrections department pursuant to a contract, unless the substance was obtained pursuant to a valid prescription or order of a practitioner while acting in the course of his professional practice or except as otherwise authorized by the Controlled Substances Act. It is unlawful for a person intentionally to possess a controlled substance analog or counterfeit substance while on the premises of a correctional facility operated by the corrections department or operated for the corrections department pursuant to a contract.

B. A person who violates the provisions of this section is guilty of a third degree felony."

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
3
4

5 January 27, 1998
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7 Mr. President:
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9 Your COMMITTEES' COMMITTEE, to whom has been referred
10

11 SENATE BILL 85
12

13 has had it under consideration and finds same to be GERMANE,
14 pursuant to Senate Executive Message No. 7, and thence referred to
15 the JUDICIARY COMMITTEE.
16

17 Respectfully submitted,
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22 _____
23 Manny M. Aragon, Chairman
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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

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Date _____

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FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

SB 85/a

February 11, 1998

Mr. President:

Your JUDICIARY COMMITTEE, to whom has been referred

SENATE BILL 85

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

1. On page 2, line 12, strike "third" and insert in lieu thereof
"fourth".,

and thence referred to the FINANCE COMMITTEE.

Respectfully submitted,

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FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

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Fernando R. Macias, Chairman

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

Date _____

The roll call vote was 3 For 2 Against

Yes: 3

No: Sanchez, McSorley

Excused: Lopez, Tsosie, Vernon

Absent: None

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FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

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FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

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FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

February 15, 1998

Mr. President:

Your FINANCE COMMITTEE, to whom has been referred

SENATE BILL 85, as amended

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

Respectfully submitted,

. 120592. 2GJ

FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

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Ben D. Altamirano, Chairman

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

Date _____

The roll call vote was 7 For 0 Against

Yes: 7

No: None

Excused: Aragon, Campos, Carraro, McKibben

Absent: None

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FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

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