

AN ACT

RELATING TO THE JUVENILE PAROLE BOARD; EXPANDING THE MEMBERSHIP OF THE JUVENILE PAROLE BOARD; ESTABLISHING SPECIFIC GUIDELINES FOR REVIEW OF A CHILD'S ELIGIBILITY FOR PAROLE; AMENDING SECTIONS OF THE JUVENILE PAROLE BOARD ACT.

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

Section 1. Section 32A-7-2 NMSA 1978 (being Laws 1993, Chapter 77, Section 195) is amended to read:

"32A-7-2. JUVENILE PAROLE BOARD--TERMS--DIRECTOR.--

A. The "juvenile parole board" is created, consisting of five members appointed by the governor. The juvenile parole board is administratively attached to the department. The terms of members of the board shall be six years.

B. A director will be appointed by the governor as the administrative officer of the juvenile parole board. The director shall employ other staff as is necessary to carry out the duties of the board. Employees shall be employed in classified positions and shall be subject to the provisions of the Personnel Act."

Section 2. Section 32A-7-8 NMSA 1978 (being Laws 1993, Chapter 77, Section 201) is amended to read:

"32A-7-8. PAROLE ELIGIBILITY.--

A. A child shall appear before the juvenile

parole board no later than forty days after the entry of a judgment transferring legal custody to an agency for the care and rehabilitation of delinquent children.

B. In the event parole is denied, the child shall appear before the juvenile parole board for review within sixty days thereafter if the child received a short-term commitment of one year.

C. In the event parole is denied, the child shall appear before the juvenile parole board for review within ninety days thereafter, if the child received a long-term commitment of no more than two years or if the child is a youthful offender.

D. The juvenile parole board may review the case of any child upon its own motion at any time after parole is denied.

E. If the child is a youthful offender, he shall serve his period of parole before his twenty-first birthday or he shall participate in an early release program approved by the department.

F. The provisions of the Juvenile Parole Board Act apply to all children who, on July 1, 1993, are on parole or eligible to be placed on parole with the same effect as if that act had been in effect at the time they were placed on parole or became eligible to be placed on parole."

Section 3. EFFECTIVE DATE.--The effective date of the

provisions of this act is July 1, 1999.

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