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HOUSE BILL 213

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Henry "Ki ki " Saavedra

AN ACT

RELATING TO CRIMINAL LAW; PROVIDING THAT EACH SEPARATE INCIDENT OF EMBEZZLEMENT IS NOT A SEPARATE AND DISTINCT OFFENSE; AMENDING A SECTION OF THE NMSA 1978.

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

Section 1. Section 30-16-8 NMSA 1978 (being Laws 1963, Chapter 303, Section 16-7, as amended) is amended to read:

"30-16-8. EMBEZZLEMENT.--Embezzlement consists of the embezzling or converting to his own use of anything of value, with which he has been entrusted, with fraudulent intent to deprive the owner thereof. [Each separate incident of embezzlement or conversion constitutes a separate and distinct offense.]

Whoever commits embezzlement when the value of the thing embezzled or converted is one hundred dollars (\$100) or less . 125997.1

is guilty of a petty misdemeanor.

Whoever commits embezzlement when the value of the thing embezzled or converted is over one hundred dollars (\$100) but not more than two hundred fifty dollars (\$250) is guilty of a misdemeanor.

Whoever commits embezzlement when the value of the thing embezzled or converted is over two hundred fifty dollars (\$250) but not more than two thousand five hundred dollars (\$2,500) is guilty of a fourth degree felony.

Whoever commits embezzlement when the value of the thing embezzled or converted is over two thousand five hundred dollars (\$2,500) but not more than twenty thousand dollars (\$20,000) is guilty of a third degree felony.

Whoever commits embezzlement when the value of the thing embezzled or converted exceeds twenty thousand dollars (\$20,000) is guilty of a second degree felony."

Section 2. EFFECTIVE DATE. -- The effective date of the provision of this act is July 1, 1999.

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