1	HOUSE BILL 231
2	44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999
3	INTRODUCED BY
4	Raymond G. Sanchez
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8	FOR THE COURTS, CORRECTIONS AND CRIMINAL JUSTICE COMMITTEE
9	
10	AN ACT
11	RELATING TO JUVENILE JUSTICE; PROVIDING FOR THE DETENTION OF A
12	CHILD WHO POSSESSES A FIREARM ON SCHOOL PREMISES; ENACTING A
13	SECTION OF THE CHILDREN'S CODE.
14	
15	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:
16	Section 1. A new section of the Children's Code is
17	enacted to read:
18	"[<u>NEW MATERIAL</u>] CHILD IN POSSESSION OF A FIREARM ON
19	SCHOOL PREMISESDETENTIONHEARING
20	A. If a public school administrator or employee
21	has reasonable cause to believe that a child is in possession
22	of or has been in possession of a firearm on school premises
23	in violation of the federal Gun Free Schools Act of 1994 or
24	Section 30-7-2.1 NMSA 1978, the administrator or employee
25	shall immediately report the child's actions to a law
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enforcement agency and the children, youth and families
 department.

B. Upon receipt of a report pursuant to Subsection
A of this section, the law enforcement agency shall
immediately conduct an investigation to determine if there is
probable cause to believe that the child possessed a firearm
on school premises.

If the law enforcement agency determines there 8 C. 9 is probable cause to believe that the child possessed a 10 firearm on school premises, the law enforcement agency shall immediately take the child into custody and deliver the child 11 12 to a detention facility licensed by the department. After the 13 child is delivered to a detention facility, the department shall comply with the notification provisions set forth in 14 Subsection C of Section 32A-2-10 NMSA 1978. The child shall 15 16 be detained in the detention facility, pending a detention 17 facility, pending a detention hearing pursuant to the 18 provisions of Section 32A-2-13 NMSA 1978."

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

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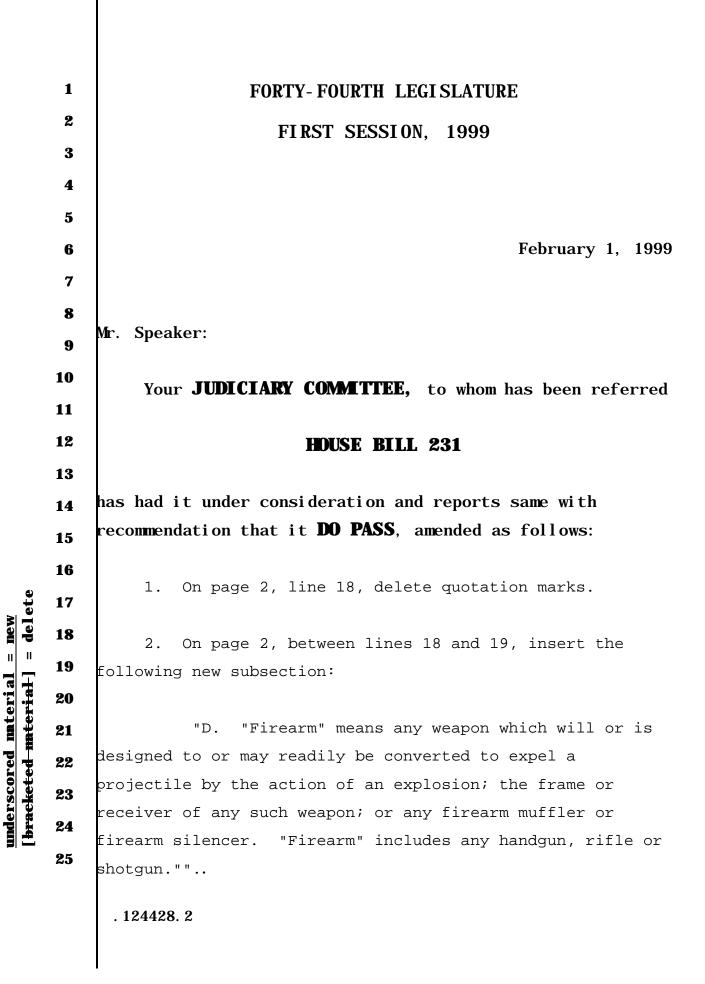
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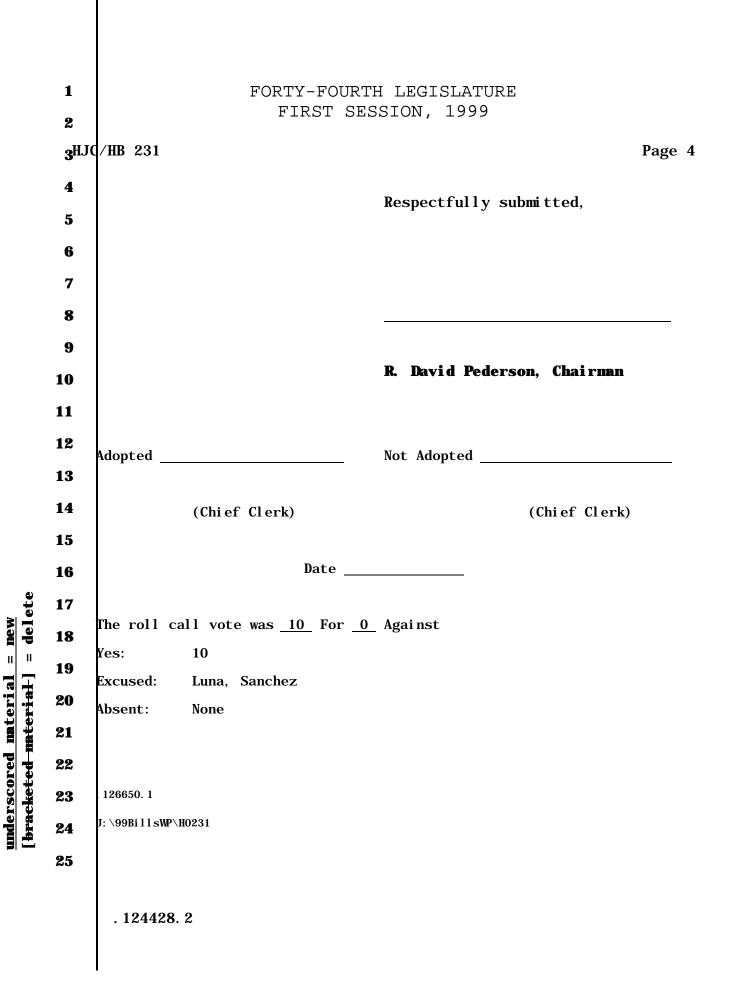
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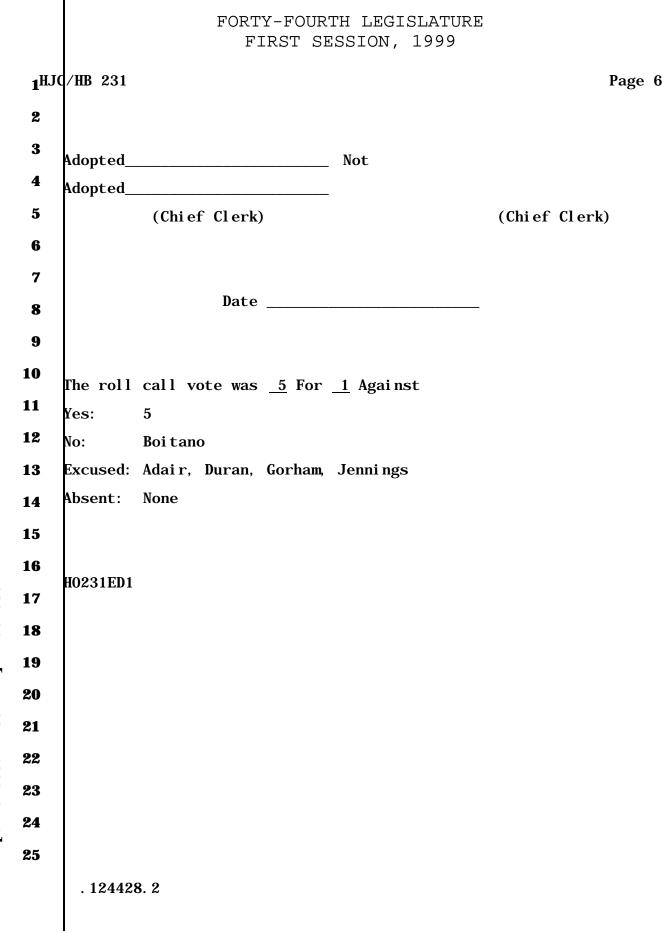
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		FORTY-FOURTH LEGISLATURE FIRST SESSION, 1999
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	- 5	FORTY- FOURTH LEGISLATURE
	6	FIRST SESSION, 1999
	7	
	8	March 11, 1999
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		Mr. President:
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	12	Your EDUCATION COMMITTEE, to whom has been referred
	13	HOUSE BILL 231, as amended
	14	
	15	has had it under consideration and reports same with
	16	recommendation that it DO PASS, and thence referred to the
<u> = new</u>] = delete	17	JUDICIARY COMMITTEE.
	18	Respectfully submitted,
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