

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SENATE BILL 92

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

INTRODUCED BY

R. L. Stockard

AN ACT

RELATING TO LAW ENFORCEMENT; REQUIRING CRIMINAL HISTORY
SCREENING FOR APPLICANTS FOR THE NEW MEXICO MOUNTED PATROL;
ENACTING A NEW SECTION OF THE NMSA 1978.

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

Section 1. A new section of Chapter 29, Article 6 NMSA
1978 is enacted to read:

" NEW MATERIAL MOUNTED PATROL-- APPLICANTS-- CRIMINAL
HISTORY SCREENING-- DENIAL OF COMMISSION. --

A. As used in this section:

(1) "criminal record" means information
concerning a person's arrests, indictments or other formal
criminal charges and any dispositions arising from them,
including convictions, dismissals, acquittals, sentencing and
correctional supervision, collected by criminal justice

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 agencies and stored in the databases of the federal bureau of
2 investigation, the national law enforcement telecommunications
3 system, the department of public safety or the repositories of
4 criminal history information of other states; and

5 (2) "criminal history screening" means a
6 criminal history background investigation of an applicant for
7 the New Mexico mounted patrol conducted by using fingerprints
8 collected by the department of public safety and submitted to
9 the federal bureau of investigation.

10 B. The New Mexico mounted patrol shall perform a
11 criminal history screening on all applicants for mounted
12 patrol. If an applicant has a criminal record, his
13 application for a commission in the mounted patrol may be
14 denied. If an applicant has a felony conviction or a
15 conviction for a misdemeanor involving moral turpitude, his
16 application for a commission in the mounted patrol shall be
17 denied.

18 C. The chief of the New Mexico state police shall
19 determine whether to grant a commission to an applicant who
20 has a criminal record that did not result in conviction of a
21 felony or a misdemeanor involving moral turpitude. The
22 chief's decision to deny an application for a commission in
23 the mounted patrol is final and may not be appealed.

24 D. An applicant for the New Mexico mounted patrol
25 shall be fingerprinted and the applicant shall provide two

1 fingerprint cards or the equivalent electronic fingerprints to
2 the mounted patrol to assist the mounted patrol in conducting
3 a criminal history screening of the applicant. The applicant
4 shall pay the cost of the criminal history screening. The
5 mounted patrol shall not charge the applicant more than the
6 actual cost of the nationwide criminal history screening."

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

9 - 3 -

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
underscored material = new
[bracketed material] = delete

1 FORTY-FOURTH LEGISLATURE

2 FIRST SESSION, 1999

3 SB 92/a

4
5
6 January 27, 1999

7
8 Mr. President:

9
10 Your JUDICIARY COMMITTEE, to whom has been referred

11
12 SENATE BILL 92

13
14 has had it under consideration and reports same with
15 recommendation that it DO PASS, amended as follows:

16
17
18 1. On page 2, line 8, after "safety" insert "or a local
19 law enforcement agency".

20
21 Respectfully submitted,

FORTY- FOURTH LEGI SLATURE
FIRST SESSI ON, 1999

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

%%%

Michael S. Sanchez, Chair man

Adopted _____ Not

Adopted _____

(Chi ef Clerk)

(Chi ef Clerk)

Date _____

The roll call vote was 5 For 0 Against

Yes: 5

No: None

Excused: Aragon, Davi s, Tsosi e

Absent: None

S0092JU1

. 124698. 2

underscored material = new
[bracketed material] = delete

FORTY- FOURTH LEGISLATURE
FIRST SESSION, 1999

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

%%%

Page 6

underscoring = new
~~[bracketed material]~~ = delete

. 124698. 2

1 FORTY-FOURTH LEGISLATURE
2 FIRST SESSION, 1999
3
4
5

6 March 12, 1999
7

8 Mr. Speaker:
9

10 Your JUDICIARY COMMITTEE, to whom has been referred
11

12 SENATE BILL 92, as amended
13

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

16 Respectfully submitted,
17

18
19
20 _____
21 R. David Pederson, Chairman
22
23
24
25

FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

HJC/SB 92

Page 8

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

Date _____

The roll call vote was 10 For 0 Against

Yes: 10

Excused: Luna, Sanchez

Absent: None

J: \99BillSWP\S0092

underscored material = new
[bracketed material] = delete