SENATE BILL 546

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

INTRODUCED BY

Michael S. Sanchez

AN ACT

RELATING TO CRIMINAL LAW; REVISING THE ELEMENTS OF THE
CRIMINAL OFFENSE KNOWN AS ESCAPE FROM JAIL; AMENDING A SECTION
OF THE NMSA 1978.

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

Section 1.   Section 30-22-8 NMSA 1978 (being Laws 1963,
Chapter 303, Section 22-8) is amended to read:

"30-22-8.   ESCAPE FROM JAIL.--

A.   Escape from jail consists of: [any]

(1)   a person who [shall have] has been
lawfully committed to [any] a jail escaping or attempting to
escape from [such] the jail; or

(2)   a person, excluding a person on
probation, who has been lawfully committed to a judicially
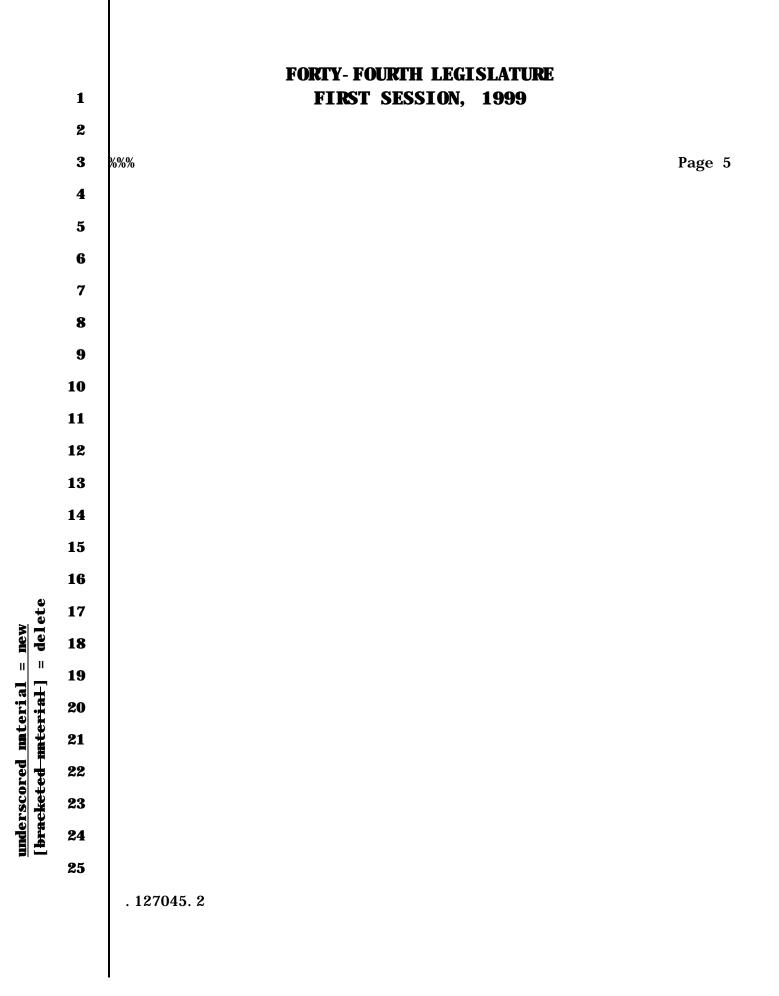approved community custody program, including a day reporting

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1 program, an electronic monitoring program, a day detention

2 program or a community tracking program, escaping or

3 attempting to escape from the program.

4   B. Whoever commits escape from jail is guilty of a

5 fourth degree felony."

6   Section 2.   EFFECTIVE DATE.--The effective date of the

7 provisions of this act is July 1, 1999.

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FORTY-FOURTH LEGISLATURE

FIRST SESSION, 1999   SB 546/a

February 27, 1999

Mr. President:

    Your **JUDICIARY COMMITTEE**, to whom has been referred

SENATE BILL 546

has had it under consideration and reports same with

recommendation that it **DO PASS**, amended as follows:

    1.   On page 2, line 3, after the word "the" insert "custody of the".

       Respectfully submitted,

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_____

                                    Michael S. Sanchez, Chairman

Adopted_____ Not

Adopted_____

             (Chief Clerk)   (Chief Clerk)

                 Date _____

The roll call vote was _5_ For _0_ Against

Yes: 5

No: None

Excused: Aragon, Sanchez, Tsosie

Absent: None

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FORTY-FOURTH LEGISLATURE

FIRST SESSION, 1999

March 11, 1999

Mr. Speaker:

Your **JUDICIARY COMMITTEE,** to whom has been referred

SENATE BILL 546, as amended

has had it under consideration and reports same with

recommendation that it **DO PASS**, amended as follows:

1.   Strike Senate Judiciary Committee Amendment 1.

2.   On page 1, line 11, after the semicolon strike the

remainder of the line in its entirety, strike lines 12 and 13 in

their entirety and insert in lieu thereof "CREATING A CRIMINAL

OFFENSE KNOWN AS ESCAPE FROM A COMMUNITY CUSTODY RELEASE

PROGRAM; ENACTING A NEW SECTION OF THE +++NMSA 1978.".

3.   On pages 1 and 2, strike Section 1 in its entirety and

insert in lieu thereof the following new section:

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"Section 1.   A new section of the Criminal Code is enacted to read:

"[NEW MATERIAL]   ESCAPE FROM A COMMUNITY CUSTODY RELEASE PROGRAM.--

A.   Escape from a community custody release program consists of a person, excluding a person on probation or parole, who has been lawfully committed to a judicially approved community custody release program, including a day reporting program, an electronic monitoring program, a day detention program or a community tracking program, escaping or attempting to escape from the community custody release program.

B.   Whoever commits escape from a community custody release program, when the person was committed to the program for a misdemeanor charge, is guilty of a misdemeanor.

C.   Whoever commits escape from a community custody release program, when the person was committed to the program for a felony charge, is guilty of a felony.""..

underscored material = new
[bracketed material] = delete

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Respectfully submitted,

_____

R. David Pederson, Chairman

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

Date _____

The roll call vote was 9 For 0 Against

Yes: 9

Excused: Garcia, Luna, Sanchez

Absent: None

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