

HOUSE BILL 72

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

INTRODUCED BY

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AN ACT

RELATING TO CONTROLLED SUBSTANCES; PROVIDING A PENALTY FOR THE
DISTRIBUTION TO A MINOR OF A CONTROLLED SUBSTANCE ENUMERATED IN
SCHEDULE I OR SCHEDULE II.

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

SECTION 1. Section 30-31-21 NMSA 1978 (being Laws 1972,
Chapter 84, Section 21, as amended) is amended to read:

"30-31-21. DISTRIBUTION TO A MINOR.--

A. Except as authorized by the Controlled
Substances Act, no person who is eighteen years of age or older
shall intentionally distribute a controlled substance to a
person under the age of eighteen years.

B. Except as provided in Subsection C of this
section, any person who violates this section with respect to a
controlled substance enumerated in Schedule I, II, III or IV or
.232762.2

1 a controlled substance analog of any controlled substance
2 enumerated in Schedule I, II, III or IV is:

3 (1) for the first offense, guilty of a second
4 degree felony and shall be sentenced pursuant to the provisions
5 of Section 31-18-15 NMSA 1978; and

6 (2) for the second and subsequent offenses,
7 guilty of a first degree felony and shall be sentenced pursuant
8 to the provisions of Section 31-18-15 NMSA 1978.

9 C. A person who violates this section with respect
10 to a controlled substance enumerated in Schedule I or II that
11 is a narcotic drug or a controlled substance analog of a
12 controlled substance enumerated in Schedule I or II that is a
13 narcotic drug, methamphetamine, its salts, isomers or salts of
14 isomers as enumerated in Schedule II or a controlled substance
15 analog of methamphetamine, its salts, isomers or salts of
16 isomers is guilty of a first degree felony and shall be
17 sentenced pursuant to the provisions of Section 31-18-15 NMSA
18 1978."