

1 AN ACT  
2 RELATING TO PUBLIC ASSISTANCE; ADDING ELECTRONIC BENEFIT  
3 TRANSFER CARDS TO UNLAWFUL DEALING IN FEDERAL FOOD COUPONS  
4 OR WIC CHECKS.

5  
6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

7 Section 1. Section 30-16-7 NMSA 1978 (being Laws 1971,  
8 Chapter 282, Section 1, as amended) is amended to read:

9 "30-16-7. UNLAWFUL DEALING IN FEDERAL FOOD COUPONS OR  
10 WIC CHECKS. --

11 A. Unlawful dealing in federal food coupons or  
12 WIC checks consists of a person buying, selling, trading,  
13 bartering or possessing food coupons or WIC checks issued by  
14 the United States department of agriculture with the intent  
15 to obtain an economic benefit to which he is not entitled  
16 under the rules of the human services department pertaining  
17 to the food stamp program or of the department of health  
18 pertaining to the special supplemental food program for  
19 women, infants and children.

20 B. Whoever commits unlawful dealing in federal  
21 food coupons or WIC checks when the value of the food  
22 coupons or WIC checks involved is one hundred dollars (\$100)  
23 or less is guilty of a petty misdemeanor.

24 C. Whoever commits unlawful dealing in federal  
25 food coupons or WIC checks when the value of the food

1 coupons or WIC checks involved is over one hundred dollars  
2 (\$100) but not more than two hundred fifty dollars (\$250) is  
3 guilty of a misdemeanor.

4 D. Whoever commits unlawful dealing in federal  
5 food coupons or WIC checks when the value of the food  
6 coupons or WIC checks involved is over two hundred fifty  
7 dollars (\$250) but not more than two thousand five hundred  
8 dollars (\$2,500) is guilty of a fourth degree felony.

9 E. Whoever commits unlawful dealing in federal  
10 food coupons or WIC checks when the value of the food  
11 coupons or WIC checks involved is over two thousand five  
12 hundred dollars (\$2,500) but not more than twenty thousand  
13 dollars (\$20,000) is guilty of a third degree felony.

14 F. Whoever commits unlawful dealing in federal  
15 food coupons or WIC checks when the value of the food  
16 coupons or WIC checks involved exceeds twenty thousand  
17 dollars (\$20,000) is guilty of a second degree felony.

18 G. For the purposes of this section, "federal  
19 food coupons or WIC checks" include electronic benefit  
20 transfer cards or any other method through which food stamps  
21 or WIC benefits may be obtained. " \_\_\_\_\_

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