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HOUSE BILL 100

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Daniel P. Silva

AN ACT

RELATING TO CRIMINAL LAW; PROVIDING FOR REIMBURSEMENT BY AN  
OFFENDER TO A VICTIM OF THE OFFENSE OF MAKING A BOMB SCARE;  
AMENDING A SECTION OF THE NMSA 1978.

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

Section 1. Section 30-20-16 NMSA 1978 (being Laws 1975,  
Chapter 285, Section 1, as amended) is amended to read:

"30-20-16. BOMB SCARES UNLAWFUL. --

A. Making a bomb scare consists of falsely and  
maliciously stating to another person that a bomb or other  
explosive has been placed in such a position that property or  
persons are likely to be injured or destroyed.

B. Whoever [~~makes~~] commits making a bomb scare is  
guilty of a fourth degree felony.

C. A court ~~may order a person convicted for the~~

underscored material = new  
[bracketed material] = del ete

1 offense of making a bomb scare to reimburse the victim of the  
2 offense for economic harm caused by that offense.

3 D. As used in this section, "economic harm" means  
4 all direct, incidental and consequential financial harm  
5 suffered by a victim of the offense of making a bomb scare.

6 "Economic harm" includes:

7 (1) wages, salaries or other compensation lost  
8 as a result of the commission of the offense of making a bomb  
9 scare;

10 (2) the cost of all wages, salaries or other  
11 compensation paid to employees for time that those employees  
12 are prevented from working as a result of the commission of the  
13 offense of making a bomb scare; and

14 (3) overhead costs incurred for the period of  
15 time that a business is shut down as a result of the commission  
16 of the offense of making a bomb scare.

17 E. This section shall not be construed to limit a  
18 court's authority to order restitution to a victim of the  
19 offense of making a bomb scare pursuant to other provisions of  
20 law. "

21 Section 2. EFFECTIVE DATE. --The effective date of the  
22 provisions of this act is July 1, 2003.