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SENATE BILL 315

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Sue Wilson Beffort

AN ACT

RELATING TO DOMESTIC ABUSE; PROVIDING FOR AN ARREST WITHOUT A
WARRANT OF A PERSON WITHIN TWENTY-FOUR HOURS AFTER AN OFFICER
ARRIVES AT THE SCENE OF A DOMESTIC DISTURBANCE.

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

Section 1. Section 31-1-7 NMSA 1978 (being Laws 1979,
Chapter 178, Section 1, as amended) is amended to read:

"31-1-7. ARREST WITHOUT WARRANT--LIABILITY.--

A. Notwithstanding the provisions of any other law
to the contrary, a peace officer may arrest a person and take
that person into custody without a warrant:

(1) when the officer is at the scene of a
domestic disturbance and has probable cause to believe that the
person has committed an assault or a battery upon a household
member; or

