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**SENATE BILL 872**

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

**INTRODUCED BY**

**Joseph A. Fidel**

**AN ACT**

**RELATING TO CORRECTIONS; CHANGING THE DEFINITION OF  
"OUT-OF- STATE INMATE".**

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

**Section 1. Section 33-15-2 NMSA 1978 (being Laws 2001,  
Chapter 169, Section 2) is amended to read:**

**"33-15-2. DEFINITIONS. --As used in the Privately Operated  
Correctional Facilities Oversight Act:**

**A. "out-of-state inmate" means a person  
incarcerated in a privately operated correctional facility  
within this state who is being incarcerated on behalf of a  
state other than New Mexico or a governmental entity whose  
jurisdiction is outside the state of New Mexico. "Out-of-state  
inmate" does not include a person who is being incarcerated on  
behalf of an Indian tribe or pueblo whose lands are located**

underscored material = new  
[bracketed material] = del ete

1 wholly or partially within New Mexico [~~or on behalf of the~~  
2 ~~United States~~];

3 B. "privately operated correctional facility" means  
4 a correctional facility or jail that has all or substantially  
5 all of its security operations performed by persons employed  
6 by, or engaged by, a private entity to perform security  
7 functions; and

8 C. "secretary" means the secretary of corrections  
9 or [~~his~~] the secretary's designee. "