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SENATE BILL 4

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Rod Adair

AN ACT

RELATING TO DOMESTIC ABUSE; PROHIBITING CRIMINAL DAMAGE TO THE
PROPERTY OF A HOUSEHOLD MEMBER WITH THE INTENT TO INTIMIDATE,
THREATEN OR HARASS; PROHIBITING DEPRIVATION OF PROPERTY;
PROVIDING PENALTIES; ENACTING A NEW SECTION OF THE CRIMINAL
CODE.

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

Section 1. Section 30-3-10 NMSA 1978 (being Laws 1995,
Chapter 221, Section 1) is amended to read:

"30-3-10. SHORT TITLE.--~~[This act]~~ Sections 30-3-10
through 30-3-17 NMSA 1978 may be cited as the "Crimes Against
Household Members Act"."

Section 2. A new section of the Crimes Against Household
Members Act, Section 30-3-17 NMSA 1978, is enacted to read:

"30-3-17. [NEW MATERIAL] CRIMINAL DAMAGE TO PROPERTY OF

.174091.1GR

underscored material = new
[bracketed material] = delete

underscoring material = new
~~[bracketed material] = delete~~

1 HOUSEHOLD MEMBER--DEPRIVATION OF PROPERTY OF HOUSEHOLD
2 MEMBER.--

3 A. Criminal damage to the property of a household
4 member consists of intentionally damaging real, personal,
5 community or jointly owned property of a household member with
6 the intent to intimidate, threaten or harass that household
7 member.

8 B. Whoever commits criminal damage to the property
9 of a household member is guilty of a misdemeanor, except that
10 when the damage to the property amounts to more than one
11 thousand dollars (\$1,000), the offender is guilty of a fourth
12 degree felony.

13 C. Deprivation of the property of a household
14 member consists of intentionally depriving a household member
15 of the use of personal, community or jointly owned property of
16 the household member with the intent to intimidate, threaten or
17 harass that household member.

18 D. Whoever commits deprivation of the property of a
19 household member is guilty of a misdemeanor."