

1 SENATE BILL 126

2 **49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

3 INTRODUCED BY

4 Peter Wirth

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10 AN ACT

11 RELATING TO CRIMINAL LAW; PROHIBITING INTIMIDATION OF A JUDGE;
12 PROHIBITING RETALIATION; PROVIDING PENALTIES.

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

15 Section 1. A new section of the Criminal Code is enacted
16 to read:

17 "[NEW MATERIAL] INTIMIDATION OF A JUDGE--RETALIATION.--

18 A. Intimidation of a judge consists of intimidating
19 or threatening a judge or a staff or family member of a judge
20 who is or may become involved in a judicial, administrative,
21 legislative or other official cause or proceeding for the
22 purpose of preventing or influencing a ruling, finding,
23 prosecution, investigation, testimony, report or sentence.

24 B. Retaliation against a judge consists of causing
25 bodily injury to or damage to the property of a judge or a

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underscoring material = new
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1 staff or family member of a judge, or threatening to do so,
2 with the intent to retaliate against the judge for a ruling,
3 finding, prosecution, investigation, testimony, report or
4 sentence.

5 C. A person who commits intimidation of a judge is
6 guilty of a fourth degree felony.

7 D. A person who commits retaliation against a judge
8 is guilty of a fourth degree felony.

9 E. As used in this section:

10 (1) "family member" means a person who is a
11 husband or wife, parent or grandparent, child or grandchild or
12 brother or sister by consanguinity or affinity;

13 (2) "judge" means a justice, a judge, a
14 magistrate, a special commissioner or a hearing officer; and

15 (3) "threatening" must include an overt act.

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