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HOUSE BILL 193

49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010

INTRODUCED BY

Thomas C. Taylor

AN ACT

RELATING TO CRIMINAL LAW; PROVIDING THAT THE STATUTE OF
LIMITATIONS FOR COMMENCING PROSECUTION FOR CRIMINAL SEXUAL
PENETRATION SHALL BEGIN TO RUN ANEW AFTER A SUBSEQUENT
VIOLATION IS COMMITTED.

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

Section 1. Section 30-1-9.2 NMSA 1978 (being Laws 2003,
Chapter 257, Section 1) is amended to read:

"30-1-9.2. CRIMINAL SEXUAL PENETRATION--TOLLING OF
STATUTE OF LIMITATIONS--MULTIPLE VIOLATIONS.--

A. When DNA evidence is available and a suspect has
not been identified, the applicable time period for commencing
a prosecution pursuant to Section 30-1-8 NMSA 1978 shall not
commence to run for an alleged violation of Section 30-9-11
NMSA 1978 until a DNA profile is matched with a suspect.

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