

HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR
HOUSE BILL 26

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

AN ACT

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

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

SECTION 1. A new section of the Criminal Code is enacted
to read:

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

A. Intimidation of a judge consists of
intentionally threatening bodily injury to or damage to the
property of a judge or a family member of a judge with the
intent to influence a judge's exercise of the judge's judicial
duties and causing the judge or the family member to reasonably
believe that the judge's or the family member's person or
property is in danger.

B. Retaliation against a judge consists of

1 intentionally threatening bodily injury to or damage to the
2 property of a judge or a family member of a judge with the
3 intent to retaliate against the judge for the judge's exercise
4 of the judge's judicial duties and causing the judge or the
5 family member to reasonably believe that the judge's or the
6 family member's person or property is in danger.

7 C. A person who commits intimidation of a judge is
8 guilty of a fourth degree felony.

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

11 E. As used in this section:

12 (1) "family member" means a person who is a
13 husband or wife, parent, child or grandchild by consanguinity
14 or affinity; and

15 (2) "judge" means a justice, a judge, a
16 magistrate, a domestic violence special commissioner or a
17 judicial hearing officer."