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SENATE BILL 10

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

INTRODUCED BY

Peter Wirth and William "Bill" R. Rehm

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

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

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."