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SENATE BILL 110

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

INTRODUCED BY

Mary Jane M. Garcia

AN ACT

RELATING TO DOMESTIC AFFAIRS; ALLOWING ALLEGED VICTIMS OF
DOMESTIC ABUSE TO OBTAIN RELEVANT PHOTOGRAPHS WITHOUT COST;
AMENDING A SECTION OF THE FAMILY VIOLENCE PROTECTION ACT.

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

SECTION 1. Section 40-13-3.1 NMSA 1978 (being Laws 1995,
Chapter 176, Section 1, as amended) is amended to read:

"40-13-3.1. FORBEARANCE OF COSTS ASSOCIATED WITH DOMESTIC
ABUSE OFFENSES.--

A. An alleged victim of domestic abuse shall not be
required to bear the cost of:

(1) the prosecution of a misdemeanor or felony
offense arising out of an incident of domestic abuse, including
costs associated with filing a criminal charge against the
alleged perpetrator of the abuse;

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1 (2) the filing, issuance or service of a
2 warrant;

3 (3) the filing, issuance or service of a
4 witness subpoena;

5 (4) the filing, issuance or service of a
6 petition for an order of protection;

7 (5) the filing, issuance or service of an
8 order of protection; or

9 (6) obtaining law enforcement reports or
10 photographs or copies of photographs relating to the alleged
11 abuse or pattern of abuse.

12 B. No witness fee shall be charged where prohibited
13 by federal law."