

1 SENATE BILL 240

2 **50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

3 INTRODUCED BY

4 Steven P. Neville

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10 AN ACT

11 RELATING TO CRIMINAL LAW; CREATING A NEW CRIME OF DAMAGE TO OR
12 THEFT FROM AN ENERGY PRODUCTION FACILITY; 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] DAMAGE TO OR THEFT FROM AN ENERGY
18 PRODUCTION FACILITY.--

19 A. Damage to or theft from an energy production
20 facility consists of a person intentionally and without
21 authorization vandalizing, destroying or removing from an
22 energy production facility any property of value, including
23 tools, scrap metal, parts and petroleum products.

24 B. Whoever commits damage to or theft from an
25 energy production facility is guilty of a:

.183542.2

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 (1) fourth degree felony if the value of
2 property vandalized, destroyed or stolen over a six-month
3 period has a value of two thousand five hundred dollars
4 (\$2,500) or less;

5 (2) third degree felony if the value of
6 property vandalized, destroyed or stolen over a six-month
7 period has a value of over two thousand five hundred dollars
8 (\$2,500) but not more than twenty thousand dollars (\$20,000);
9 and

10 (3) second degree felony if the value of
11 property vandalized, destroyed or stolen over a six-month
12 period has a value of over twenty thousand dollars (\$20,000).

13 C. As used in this section, "energy production
14 facility" means a facility that is involved in the production,
15 storage, transmission or distribution of electricity, fuel or
16 another form or source of energy, or a research, development or
17 demonstration facility relating thereto, regardless of whether
18 such facility is still under construction or is otherwise not
19 functioning."

20 SECTION 2. EFFECTIVE DATE.--The effective date of the
21 provisions of this act is July 1, 2011.