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SENATE BILL 522

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

Nancy Rodriguez

AN ACT

RELATING TO PROBATION AND PAROLE; ADDING METROPOLITAN AND
MAGISTRATE COURTS TO THE DEFINITION OF ADULT IN THE PROBATION
AND PAROLE ACT; REQUIRING REPORTING FROM METROPOLITAN AND
MAGISTRATE COURTS; DECLARING AN EMERGENCY.

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

SECTION 1. Section 31-21-5 NMSA 1978 (being Laws 1978,
Chapter 41, Section 1, as amended) is amended to read:

"31-21-5. DEFINITIONS.--As used in the Probation and
Parole Act:

A. "probation" means the procedure under which an
adult defendant, found guilty of a crime upon verdict or plea,
is released by the court without imprisonment under a suspended
or deferred sentence and subject to conditions;

B. "parole" means the release to the community of

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~~[bracketed material] = delete~~

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1 an inmate of an institution by decision of the board or by
2 operation of law, subject to conditions imposed by the board
3 and to its supervision;

4 C. "institution" means the state penitentiary and
5 any other similar state institution hereinafter created;

6 D. "board" means the parole board;

7 E. "director" means the director of the [~~field~~
8 ~~services~~] adult probation and parole division of the
9 corrections department or any employee designated by [~~him~~] the
10 director; and

11 F. "adult" means any person convicted of a crime by
12 a district court, metropolitan court or magistrate court."

13 SECTION 2. Section 31-21-20 NMSA 1978 (being Laws 1963,
14 Chapter 301, Section 16) is amended to read:

15 "31-21-20. INFORMATION FROM COURTS.--The director shall
16 obtain from each district court, metropolitan court or
17 magistrate court statistical data regarding dispositions of all
18 defendants, whether found guilty or discharged."

19 SECTION 3. EMERGENCY.--It is necessary for the public
20 peace, health and safety that this act take effect immediately.