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SENATE BILL 275

52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016

INTRODUCED BY

William E. Sharer

AN ACT

RELATING TO PROBATION; CHANGING THE DEFINITION OF "ADULT" IN THE PROBATION AND PAROLE ACT TO INCLUDE PERSONS CONVICTED OF CRIMES IN MAGISTRATE AND METROPOLITAN COURTS.

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 an inmate of an institution by decision of the board or by

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1 operation of law, subject to conditions imposed by the board
2 and to its supervision;

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

5 D. "board" means the parole board;

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

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