

1 HOUSE BILL 321

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

3 INTRODUCED BY

4 David M. Gallegos and Candie G. Sweetser and Larry R. Scott
5 and Bob Wooley and William "Bill" R. Rehm
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10 AN ACT

11 RELATING TO COUNTY SHERIFFS; ALLOWING THE HIGHEST-RANKING
12 DEPUTY SHERIFF TO EXERCISE THE POWERS OF SHERIFF UNTIL A
13 SHERIFF HAS BEEN APPOINTED AND QUALIFIED; DECLARING AN
14 EMERGENCY.
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16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. Section 4-41-9 NMSA 1978 (being Laws 1855-
18 1856, Chapter 2, Section 3, as amended) is amended to read:

19 "4-41-9. POWERS OF DEPUTY SHERIFF.--~~[Sec. 198. The said]~~
20 Deputies are ~~[hereby]~~ authorized to discharge all the duties
21 ~~[which]~~ that belong to the office of sheriff that may be placed
22 under their charge by their principals, with the same effect as
23 though they were executed by the respective sheriffs. If there
24 is a vacancy in the office of sheriff, the highest-ranking
25 deputy sheriff shall exercise the powers of sheriff until a

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underscored material = new
[bracketed material] = delete

