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AN ACT  
RELATING TO INCARCERATION; REQUIRING COURTS TO CONSIDER  
PREGNANCY OR LACTATION FOR RELEASE, BOND OR GOOD TIME  
COMPUTATION.

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

SECTION 1. RELEASE OF INDIVIDUALS WHO ARE PREGNANT OR  
LACTATING.--

A. The court shall consider an individual's  
pregnancy or lactation status when determining whether the  
individual is eligible for release or bond and in the  
computation of good time credit. A presumption shall be made  
in favor of release for an individual who is pregnant or  
lactating. An individual released pursuant to this section  
shall be placed on the least restrictive conditions of  
release necessary to ensure return to custody.

B. As used in this section, "release" means:

(1) custodial release, which is release  
under such court-imposed restrictions as to satisfy the court  
that the person remains in custody while released; and

(2) noncustodial release, which is release  
under such conditions that are not considered custodial.

SECTION 2. EFFECTIVE DATE.--The effective date of the  
provisions of this act is July 1, 2019. \_\_\_\_\_