

SENATE BILL 142

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY

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This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO CRIME; MAKING A THREAT OF A SHOOTING UNLAWFUL.

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

SECTION 1. Section 30-20-16 NMSA 1978 (being Laws 1975, Chapter 285, Section 1, as amended) is amended to read:

"30-20-16. BOMB SCARES AND SHOOTING THREATS UNLAWFUL.--

A. Making a bomb scare consists of falsely and maliciously stating to another person that a bomb or other

.218940.1AIC February 18, 2021 (11:31am)

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explosive has been placed in such a position that property or persons are likely to be injured or destroyed.

B. Making a shooting threat consists of falsely and maliciously stating to another person that the person making the threat or another person intends to bring a firearm to a property or use the firearm with the intent to:

(1) place a person or group of persons in fear of great bodily harm;

(2) prevent or interrupt the occupation or use of a public building; or

(3) cause a response to the threat by an official or volunteer agency organized to deal with emergencies.

[B-] C. Whoever commits making a bomb scare SHPAC→~~or shooting threat~~←SHPAC is guilty of a fourth degree felony.

[G-] D. SHPAC→Whoever commits making a shooting threat is guilty of a misdemeanor.

E. A court may order a person convicted for the offense of making a shooting threat pursuant to the provisions of Subsection A of Section 31-19-1 NMSA 1978 and to reimburse the victim of the offense for economic harm caused by the offense.

F.←SHPAC A court may order a person convicted for the offense of making a bomb scare SHPAC→~~or shooting~~

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~~threat~~←SHPAC to reimburse the victim of the offense for economic harm caused by that offense.

[D-] SHPAC→~~E.~~←SHPAC SHPAC→~~G.~~←SHPAC As used in this section, "economic harm" means all direct, incidental and consequential financial harm suffered by a victim of the offense of making a bomb scare or shooting threat. "Economic harm" includes:

(1) wages, salaries or other compensation lost as a result of the commission of the offense of making a bomb scare or shooting threat;

(2) the cost of all wages, salaries or other compensation paid to employees for time that those employees are prevented from working as a result of the commission of the offense of making a bomb scare or shooting threat; and

(3) overhead costs incurred for the period of time that a business is shut down as a result of the commission of the offense of making a bomb scare or shooting threat.

[E-] HCPAC→~~F.~~←HCPAC SHPAC→~~H.~~←SHPAC This section shall not be construed to limit a court's authority to order restitution to a victim of the offense of making a bomb scare or shooting threat pursuant to other provisions of law."