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HOUSE BILL 947

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

DARA A. DANA

AN ACT

RELATING TO CRIMINAL LAW; MAKING IT UNLAWFUL TO BRING CONTRABAND INTO A JUVENILE JUSTICE FACILITY; PROVIDING PENALTIES; ENACTING A NEW SECTION OF THE CRIMINAL CODE.

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

Section 1. A new section of the Criminal Code is enacted to read:

" [NEW MATERIAL] BRINGING CONTRABAND INTO A JUVENILE JUSTICE FACILITY-- PENALTY. --

A. Bringing contraband into a juvenile justice facility consists of carrying, transporting or depositing contraband onto the grounds of any facility designated by the children, youth and families department for the detention or commitment of children. Whoever commits bringing contraband into a juvenile justice facility is guilty of a third degree

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1 felony.

2 B. As used in this section, "contraband" means:

3 (1) any deadly weapon, as defined in Section
4 30-1-12 NMSA 1978, or an essential component part thereof,
5 including ammunition, explosive devices and explosive materials,
6 but does not include a weapon carried by a peace officer in the
7 lawful discharge of his duties;

8 (2) currency brought onto the grounds of a
9 juvenile justice facility for the purpose of transfer to a child
10 detained in or committed to the facility;

11 (3) any alcoholic beverage; or

12 (4) any controlled substance, as defined in the
13 Controlled Substances Act, but does not include a controlled
14 substance carried into a juvenile justice facility through
15 regular facility channels and pursuant to the direction or
16 prescription of a regularly licensed physician. "

17 Section 2. EFFECTIVE DATE. --The effective date of the
18 provisions of this act is July 1, 1997.

State of New Mexico House of Representatives

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 15, 1997

Mr. Speaker:

Your JUDICIARY COMMITTEE, to whom has been referred

HOUSE BILL 947

has had it under consideration and reports same with
recommendation that it DO PASS, amended as follows:

1. On page 1, line 12, strike "JUSTICE" and insert in lieu
thereof "DETENTION FACILITY OR JUVENILE CORRECTIONAL".

2. On page 1, line 19, strike "JUSTICE" and insert in lieu
thereof "DETENTION FACILITY OR JUVENILE CORRECTIONAL".

3. On page 1, line 20, strike "justice" and insert in lieu
thereof "detention facility or juvenile correctional".

4. On page 1, line 25, strike "justice" and insert in lieu
thereof "correctional".

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

HJC/HB 947

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5. On page 2, line 1, after the period insert "Whoever commits bringing contraband into a juvenile detention facility is guilty of a fourth degree felony."

6. On page 2, line 9, strike "justice" and insert in lieu thereof "detention facility or juvenile correctional".

7. On page 2, line 9, after "facility" insert ", and not declared upon entry to the facility,".

8. On page 2, line 10, after "facility" insert ", but does not include currency carried into areas designated by the facility administrator as areas for the deposit and receipt of currency for credit to a child's account before contact is made with any child".

9. On page 2, line 11, after "beverage" insert "brought within the physical confines of the juvenile detention or juvenile correctional facility".

10. On page 2, line 14, strike "justice" and insert in lieu thereof "detention facility or juvenile correctional".,

and thence referred to the APPROPRIATIONS AND FINANCE COMMITTEE.

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

HJC/HB 947

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Respectfully submitted,

Thomas P. Foy, Chairman

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 7 For 0 Against

Yes: 7

Excused: Alwin, King, Luna, Mallory, Rios, Sanchez

Absent: None

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State of New Mexico House of Representatives

**FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997**

March 17, 1997

Mr. Speaker:

**Your APPROPRIATIONS AND FINANCE COMMITTEE, to
whom has been referred**

HOUSE BILL 947, as amended

**has had it under consideration and reports same with
recommendation that it DO PASS.**

Respectfully submitted,

Max Coll, Chairman

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 13 For 0 Against

Yes: 13

Excused: Garcia, M. H., Marquardt, Picraux, Taylor, J. P.

Absent: None

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 20, 1997

Mr. President:

Your JUDICIARY COMMITTEE, to whom has been referred

HOUSE BILL 947, as amended

has had it under consideration and reports same with
recommendation that it DO PASS.

Respectfully submitted,

Fernando R. Macias, Chairman

Adopted _____ Not Adopted _____

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: Sanchez, Tsosie, Vernon

Absent: None

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