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HOUSE BILL 1334

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

INTRODUCED BY

R. DAVID PEDERSON

AN ACT

RELATING TO PAROLE; PROVIDING SPECIFIC TIMELINES FOR THE
JUVENILE PAROLE BOARD TO REVIEW A CHILD'S ELIGIBILITY FOR
PAROLE; AMENDING SECTIONS OF THE JUVENILE PAROLE BOARD ACT.

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

Section 1. Section 32A-7-2 NMSA 1978 (being Laws 1993,
Chapter 77, Section 195) is amended to read:

"32A-7-2. JUVENILE PAROLE BOARD--TERMS--DIRECTOR.--

A. The "juvenile parole board" is created,
consisting of [~~three~~] five members appointed by the governor.
The juvenile parole board is administratively attached to the
department. The terms of members of the board shall be six
years.

B. A director will be appointed by the governor as
the administrative officer of the juvenile parole board. The

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1 director shall employ other staff as is necessary to carry out
2 the duties of the board. Employees shall be employed in
3 classified positions and shall be subject to the provisions of
4 the Personnel Act. "

5 Section 2. Section 32A-7-8 NMSA 1978 (being Laws 1993,
6 Chapter 77, Section 201) is amended to read:

7 "32A-7-8. PAROLE ELIGIBILITY. --

8 A. A child [~~is eligible to~~] shall appear before the
9 juvenile parole board no later than forty days after the entry
10 of a judgment transferring legal custody to an agency for the
11 care and rehabilitation of delinquent children, unless
12 recommended for an earlier appearance by the agency responsible
13 for such care and rehabilitation.

14 B. In the event parole is denied, the child shall
15 [~~be eligible~~] appear before the juvenile parole board for review
16 every sixty days thereafter if the child received a short-term
17 commitment of one year, or every ninety days thereafter, if the
18 child received a long-term commitment for no more than two
19 years.

20 C. The juvenile parole board may review the case of
21 any child upon its own motion at any time after parole is
22 denied.

23 D. The provisions of the Juvenile Parole Board Act
24 apply to all children who, on [~~the effective date of that act~~]
25 July 1, 1997, are on parole or eligible to be placed on parole

1 with the same effect as if that act had been in effect at the
2 time they were placed on parole or became eligible to be placed
3 on parole. "

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State of New Mexico House of Representatives

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 8, 1997

Mr. Speaker:

Your JUDICIARY COMMITTEE, to whom has been referred

HOUSE BILL 1334

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

1. On page 2, line 11, after "children" strike the remainder
of the line, strike lines 12 and 13 in their entirety and insert
in lieu thereof of a period.

2. On page 2, line 16, strike "every" and insert in lieu
thereof "within".

3. On page 2, line 17, strike "every" and insert in lieu
thereof "within".

4. On page 2, line 19, before the period insert "or if the
child is a youthful offender".

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

HJC/HB 1334

Page 5

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5. On page 2, line 22, after the period, insert "If a child is a youthful offender, he shall serve a period of parole before his twenty-first birthday or shall participate in an early release program approved by the department.".,

and thence referred to the APPROPRIATIONS AND FINANCE COMMITTEE.

Respectfully submitted,

Thomas P. Foy, Chairman

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

HJC/HB 1334

Page 6

- 1
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The roll call vote was 7 For 0 Against

Yes: 7

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

Absent: None

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Underscored material = new
[bracketed material] = delete

**State of New Mexico
House of Representatives**

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 11, 1997

Mr. Speaker:

Your APPROPRIATIONS AND FINANCE COMMITTEE, to
whom has been referred

HOUSE BILL 1334, as amended

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

Respectfully submitted,

Max Coll, Chairman

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

HB-1334

Page 8

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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 13 For 0 Against

Yes: 13

Excused: Abeyta, Marquardt, Picraux, Varela

Absent: None

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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 1334, as amended

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

1. On page 2, line 16, after "days" insert "of each review
proceeding hearing".

2. On page 2, line 17, after "days" insert "of each review
proceeding hearing".

Respectfully submitted,

Fernando R. Macias, Chairman

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

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Page 10

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 6 For 0 Against

Yes: 6

No: 0

Excused: Tsosie, McSorley

Absent: None

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Underscored material = new
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