

AN ACT

RELATING TO CRIMINAL LAW; CLARIFYING THE ELEMENTS OF THE
OFFENSE OF FAILURE TO APPEAR; AMENDING A SECTION OF THE NMSA
1978.

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

Section 1. Section 31-3-9 NMSA 1978 (being Laws 1973,
Chapter 73, Section 6) is amended to read:

"31-3-9. FAILURE TO APPEAR--PENALTY.--A person
released pending any proceeding related to the prosecution or
appeal of a criminal offense or a probation revocation
proceeding who willfully fails to appear before any court or
judicial officer as required:

A. is guilty of a fourth degree felony, if he was
released in connection with a felony proceeding; or

B. is guilty of a petty misdemeanor, if he was
released in connection with a misdemeanor or a petty
misdemeanor proceeding."

Section 2. EFFECTIVE DATE.--The effective date of the
provisions of this act is July 1, 1999. _____