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HOUSE BILL 714

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Joe Mohorovic

AN ACT

RELATING TO CRIMINAL LAW; INCREASING THE PENALTIES FOR
AGGRAVATED BATTERY UPON A PEACE OFFICER; AMENDING A SECTION OF
THE NMSA 1978.

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

Section 1. Section 30-22-25 NMSA 1978 (being Laws 1971,
Chapter 265, Section 5) is amended to read:

"30-22-25. AGGRAVATED BATTERY UPON A PEACE OFFICER. --

A. Aggravated battery upon a peace officer
consists of the unlawful touching or application of force to
the person of a peace officer with intent to injure that peace
officer while he is in the lawful discharge of his duties.

B. Whoever commits aggravated battery upon a peace
officer, inflicting an injury to the peace officer [~~which~~
that is not likely to cause death or great bodily harm, but

underscored material = new
[bracketed material] = delete

1 does cause painful temporary disfigurement or temporary loss
2 or impairment of the functions of any member or organ of the
3 body, is guilty of a [~~fourth~~] third degree felony.

4 C. Whoever commits aggravated battery upon a peace
5 officer inflicting great bodily harm, or does so with a deadly
6 weapon or in any manner whereby great bodily harm or death can
7 be inflicted, is guilty of a [~~third~~] second degree felony. "

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