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SENATE BILL 65

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

INTRODUCED BY

Linda M Lopez

AN ACT

RELATING TO CRIMINAL LAW; INCREASING THE CRIMINAL PENALTY FOR THE OFFENSE OF IMPERSONATING A PUBLIC OFFICER; AMENDING A SECTION OF THE NMSA 1978.

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

Section 1. Section 30-27-2 NMSA 1978 (being Laws 1963, Chapter 303, Section 27-2) is amended to read:

"30-27-2. IMPERSONATING PUBLIC OFFICER. -- Impersonating a public officer consists of any person:

A. without due authority exercising or attempting to exercise the functions of any peace officer; or

B. falsely assuming or pretending to be a peace officer, [~~justice of the peace~~] magistrate or coroner with intent to deceive another.

Whoever commits impersonating a public officer is guilty of a [~~petty misdemeanor~~] fourth degree felony."

underscored material = new  
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1 FORTY-FOURTH LEGISLATURE

2 FIRST SESSION, 1999

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4  
5 February 17, 1999

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7 Mr. President:

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9 Your JUDICIARY COMMITTEE, to whom has been referred

10  
11 SENATE BILL 65

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13 has had it under consideration and reports same with  
14 recommendation that it DO NOT PASS, but that

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17 SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR

18 SENATE BILL 65

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20 DO PASS.

21 Respectfully submitted,

Cisco McSorley, Vice Chairman

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Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 3 For 2 Against

Yes: 3

No: Davis, Tsosie

Excused: Aragon, Sanchez, Stockard

Absent: None

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SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR  
SENATE BILL 65

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

AN ACT

RELATING TO CRIMINAL LAW; INCREASING THE CRIMINAL PENALTY FOR  
IMPERSONATING A PEACE OFFICER; AMENDING AND REPEALING SECTIONS  
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 IMPERSONATING A PEACE OFFICER. --

A. Impersonating a peace officer consists of:

(1) without due authority exercising or  
attempting to exercise the functions of a peace officer; or

(2) pretending to be a peace officer with the  
intent to deceive another person.

B. Whoever commits impersonating a peace officer is  
guilty of a misdemeanor. Upon a second or subsequent

1 conviction, the offender is guilty of a fourth degree felony.

2 C. As used in this section, "peace officer" means  
3 any public official or public officer vested by law with a  
4 duty to maintain public order or to make arrests for crime,  
5 whether that duty extends to all crimes or is limited to  
6 specific crimes. "

7 Section 2. REPEAL. --Section 30-27-2 NMSA 1978 (being  
8 Laws 1963, Chapter 303, Section 27-2) is repealed.

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10 Section 3. EFFECTIVE DATE. --The effective date of the  
11 provisions of this act is July 1, 1999.

1 FORTY- FOURTH LEGISLATURE  
2 FIRST SESSION, 1999  
3  
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6 March 15, 1999  
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8 Mr. Speaker:  
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10 Your JUDICIARY COMMITTEE, to whom has been referred  
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12 SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR  
13 SENATE BILL 65  
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15 has had it under consideration and reports same with  
16 recommendation that it DO PASS.

17 Respectfully submitted,  
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22 R. David Pederson, Chairman  
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FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

SJC/SB 65

HJC/CS/SB65

Page 8

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 8 For 0 Against

Yes: 8

Excused: Luna, Martinez, Stewart, Sanchez

Absent: None

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1 FORTY- FOURTH LEGISLATURE  
2 FIRST SESSION, 1999  
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4 March 15, 1999  
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7 Mr. Speaker:  
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9 Your JUDICIARY COMMITTEE, to whom has been referred  
10

11 SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR  
12 SENATE BILL 65

13 has had it under consideration and reports same with  
14 recommendation that it DO PASS.  
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16 Respectfully submitted,  
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21 R. David Pederson, Chairman  
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FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

SJC/SB 65

HJC/CS/SB65

Page 10

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 8 For 0 Against

Yes: 8

Excused: Luna, Martinez, Stewart, Sanchez

Absent: None

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