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HOUSE BILL

**56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024**

INTRODUCED BY

DISCUSSION DRAFT

AN ACT

RELATING TO CRIME; CLARIFYING THAT EMBEZZLEMENT INCLUDES  
EMBEZZLING FOR ANOTHER'S USE.

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

SECTION 1. Section 30-16-8 NMSA 1978 (being Laws 1963,  
Chapter 303, Section 16-7, as amended) is amended to read:

"30-16-8. EMBEZZLEMENT.--

A. Embezzlement consists of a person embezzling or  
converting to the person's own or another's use anything of  
value, with which the person has been entrusted, with  
fraudulent intent to deprive the owner thereof.

B. Whoever commits embezzlement when the value of  
the thing embezzled or converted is two hundred fifty dollars  
(\$250) or less is guilty of a petty misdemeanor.

C. Whoever commits embezzlement when the value of

underscored material = new  
[bracketed material] = delete

underscoring material = new  
~~[bracketed material] = delete~~

1 the thing embezzled or converted is over two hundred fifty  
2 dollars (\$250) but not more than five hundred dollars (\$500)  
3 is guilty of a misdemeanor.

4 D. Whoever commits embezzlement when the value of  
5 the thing embezzled or converted is over five hundred dollars  
6 (\$500) but not more than two thousand five hundred dollars  
7 (\$2,500) is guilty of a fourth degree felony.

8 E. Whoever commits embezzlement when the value of  
9 the thing embezzled or converted is over two thousand five  
10 hundred dollars (\$2,500) but not more than twenty thousand  
11 dollars (\$20,000) is guilty of a third degree felony.

12 F. Whoever commits embezzlement when the value of  
13 the thing embezzled or converted exceeds twenty thousand  
14 dollars (\$20,000) is guilty of a second degree felony."

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