

KeyCite Yellow Flag - Negative Treatment
Proposed Legislation

West's New Mexico Statutes Annotated

Chapter 30. Criminal Offenses

Article 31. Controlled Substances (Refs & Annos)

N. M. S. A. 1978, § 30-31-20

§ 30-31-20. Trafficking controlled substances; violation

Currentness

A. As used in the Controlled Substances Act, "traffic" means the:

(1) manufacture of a controlled substance enumerated in Schedules I through V or a controlled substance analog as defined in Subsection W of Section 30-31-2 NMSA 1978;

(2) distribution, sale, barter or giving away of:

(a) a controlled substance enumerated in Schedule I or II that is a narcotic drug;

(b) a controlled substance analog of a controlled substance enumerated in Schedule I or II that is a narcotic drug; or

(c) methamphetamine, its salts, isomers and salts of isomers; or

(3) possession with intent to distribute:

(a) a controlled substance enumerated in Schedule I or II that is a narcotic drug;

(b) controlled substance analog of a controlled substance enumerated in Schedule I or II that is a narcotic drug; or

(c) methamphetamine, its salts, isomers and salts of isomers.

B. Except as authorized by the Controlled Substances Act, it is unlawful for a person to intentionally traffic. A person who violates this subsection is:

(1) for the first offense, guilty of a second degree felony and shall be sentenced pursuant to the provisions of Section 31-18-15 NMSA 1978; and

(2) for the second and subsequent offenses, guilty of a first degree felony and shall be sentenced pursuant to the provisions of Section 31-18-15 NMSA 1978.

C. A person who knowingly violates Subsection B of this section within a drug-free school zone excluding private property residentially zoned or used primarily as a residence is guilty of a first degree felony and shall be sentenced pursuant to the provisions of Section 31-18-15 NMSA 1978.

Credits

L. 1972, Ch. 84, § 20; L. 1974, Ch. 9, § 1; L. 1980, Ch. 23, § 1; L. 1987, Ch. 68, § 2; L. 1990, Ch. 19, § 3; L. 2006, Ch. 17, § 2, eff. July 1, 2006.

Formerly 1953 Comp., § 54-11-20.

Notes of Decisions (203)

NMSA 1978, § 30-31-20, NM ST § 30-31-20

Current through the end of the First Regular and Special Sessions of the 53rd Legislature (2017).

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