State of New Mexico
House of Representatives

FIFTY-SECOND LEGISLATURE
SECOND SPECIAL SESSION

October 1, 2016

HOUSE FLOOR AMENDMENT number #1 to HOUSE BILL 6, as amended

Amendment sponsored by Representative Stephanie Garcia Richard

1. Strike House Judiciary Committee Amendments 1 and 2.

2. On page 1, line 14, before the period, insert "; REMOVING THE STATUTE OF LIMITATIONS FOR THE PROSECUTION OF CERTAIN CRIMINAL SEXUAL OFFENSES WHERE THE VICTIM IS UNDER EIGHTEEN YEARS OF AGE; DECLARING AN EMERGENCY".

3. On page 4, between lines 7 and 8, insert:

"**SECTION 2.** Section 30-1-8 NMSA 1978 (being Laws 1963, Chapter 303, Section 1-8, as amended) is amended to read:

"30-1-8. TIME LIMITATIONS FOR COMMENCING PROSECUTION.--A person shall not be prosecuted, tried or punished in any court of this state unless the indictment is found or information or complaint is filed within the time as provided:

A. for a second degree felony, <u>except as provided in Subsection I of this section</u>, within six years from the time the crime was committed;

B. for a third or fourth degree felony, <u>except as provided in Subsection I of this section</u>, within five years from the time the crime was committed;

C. for a misdemeanor, <u>except as provided in Subsection I of this section</u>, within two years from the time the crime was committed;

D. for a petty misdemeanor, within one year from the time the crime was committed;

E. for any crime against or violation of Section 51-1-38 NMSA 1978, within three years from the time the crime was committed;

F. for a felony pursuant to Section 7-1-71.3, 7-1-72 or 7-1-73 NMSA 1978, within five years from the time the crime was committed; provided that for a series of crimes involving multiple filing periods within one calendar year, the limitation shall begin to run on December 31 of the year in which the crimes occurred;

G. for an identity theft crime pursuant to Section 30-16-24.1 NMSA 1978, within five years from the time the crime was discovered;

H. for any crime not contained in the Criminal Code or where a limitation is not otherwise provided for, within three years from the time the crime was committed; and

I. for a capital felony [~~or~~], a first degree violent felony <u>or a violation of Section 30-9-1, 30-9-11 or 30-9-13 NMSA 1978</u>, no limitation period shall exist and prosecution for these crimes may commence at any time after the occurrence of the crime."

SECTION 3. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.".

State of New Mexico
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Stephanie Garcia Richard

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

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