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HOUSE BILL 694

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Gail C. Beam

AN ACT

**RELATING TO CAPITAL FELONY SENTENCING; REQUIRING AN
EXPLANATION BY THE COURT AT THE BEGINNING OF A SENTENCING
HEARING FOR A CAPITAL FELONY CASE HEARD BY A JURY; ENACTING A
NEW SECTION OF THE NMSA 1978.**

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

**Section 1. A new section 31-18-14.1 NMSA 1978 is enacted
to read:**

**"31-18-14.1. [NEW MATERIAL] CAPITAL FELONY CASE HEARD BY
A JURY--SENTENCING HEARING--EXPLANATION BY COURT TO THE
JURY.--At the beginning of a sentencing hearing for a capital
felony case, subsequent to a verdict by the jury that the
defendant is guilty of a capital felony, the court shall
explain to the jury that a sentence of life imprisonment means
that the defendant shall serve thirty years of his sentence**

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1 before he becomes eligible for a parole hearing, as provided
2 in Section 31-21-10 NMSA 1978. "

3 Section 2. APPLICABILITY. -- The provisions of Section
4 31-18-14.1 NMSA 1978 apply to persons convicted of a capital
5 felony offense committed on or after July 1, 2001.

6 Section 3. EFFECTIVE DATE. -- The effective date of the
7 provisions of this act is July 1, 2001.

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