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HOUSE BILL 75  
45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002  
INTRODUCED BY  
Daniel P. Silva

AN ACT  
RELATING TO CRIMINAL LAW; CREATING THE CRIMINAL OFFENSE OF  
INDUCING PANIC; IMPOSING PENALTIES; REPEALING AND ENACTING  
SECTIONS OF THE NMSA 1978.

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]~~ INDUCING PANIC. --

A. Inducing panic consists of causing the  
evacuation of a public place, or otherwise causing serious  
public inconvenience or alarm, by:

(1) knowingly initiating or circulating a  
false report or false warning of an alleged or impending fire,  
explosion, crime or other catastrophe;

(2) pretending to commit a violent offense;

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1 or

2 (3) committing a criminal offense, with  
3 reckless disregard for the likelihood that commission of the  
4 offense will cause serious public inconvenience or alarm.

5 B. A person who commits inducing panic is guilty  
6 of a misdemeanor.

7 C. A person who commits inducing panic that  
8 results in great bodily harm to another person is guilty of a  
9 fourth degree felony.

10 D. A person who commits inducing panic that  
11 results in economic harm that is more than five thousand  
12 dollars (\$5,000) but not more than one hundred thousand  
13 dollars (\$100,000) is guilty of a fourth degree felony.

14 E. A person who commits inducing panic that  
15 results in economic harm that is more than one hundred  
16 thousand dollars (\$100,000) is guilty of a third degree  
17 felony.

18 F. A person who commits inducing panic on school  
19 premises that results in great bodily harm to another person  
20 on the school premises is guilty of a third degree felony.

21 G. A person who commits inducing panic on school  
22 premises that results in economic harm to the school premises  
23 that is more than five thousand dollars (\$5,000) but not more  
24 than one hundred thousand dollars (\$100,000) is guilty of a  
25 third degree felony.

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1           H. A person who commits inducing panic on school  
2 premises that results in economic harm to the school premises  
3 that is more than one hundred thousand dollars (\$100,000) is  
4 guilty of a second degree felony.

5           I. As used in this section:

6                   (1) "economic harm" means all direct,  
7 incidental and consequential monetary harm suffered by a  
8 victim of the offense of inducing panic. "Economic harm"  
9 includes:

10                           (a) wages, salaries or other  
11 compensation lost as a result of the commission of the offense  
12 of inducing panic;

13                           (b) the cost of all wages, salaries or  
14 other compensation paid by an employer to his employees for  
15 time that those employees are prevented from working as a  
16 result of the commission of the offense of inducing panic;

17                           (c) overhead costs incurred for the  
18 period of time that a business is shut down as a result of the  
19 commission of the offense of inducing panic; and

20                           (d) the loss of value to tangible or  
21 intangible property that was damaged as a result of the  
22 commission of the offense of inducing panic; and

23                   (2) "school premises" means:

24                           (a) the buildings and grounds,  
25 including playgrounds, playing fields, parking areas and

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1 school buses of a public elementary, secondary, junior high or  
2 high school, in or on which school or school-related  
3 activities are being operated under the supervision of a local  
4 school board; or

5 (b) any other public buildings or  
6 grounds, including playing fields and parking areas that are  
7 not public school property, in or on which public  
8 school-related and -sanctioned activities are being  
9 performed. "

10 Section 2. REPEAL. -- Sections 30-7-21 and 30-7-22 NMSA  
11 1978 (being Laws 1981, Chapter 246, Sections 5 and 6) are  
12 repealed.

13 Section 3. EFFECTIVE DATE. -- The effective date of the  
14 provisions of this act is July 1, 2002.

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