

HOUSE BILL 346

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

Debbie A. Rodella

AN ACT

RELATING TO PROSTITUTION; RAISING THE AGE OF SEXUAL
EXPLOITATION OF CHILDREN BY PROSTITUTION AND ENTICEMENT OF
CHILD FROM SIXTEEN TO EIGHTEEN.

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

SECTION 1. Section 30-6A-4 NMSA 1978 (being Laws 1984,
Chapter 92, Section 4, as amended) is amended to read:

"30-6A-4. SEXUAL EXPLOITATION OF CHILDREN BY
PROSTITUTION.--

A. Any person knowingly receiving any pecuniary
profit as a result of a child under the age of [~~sixteen~~
eighteen engaging in a prohibited sexual act with another is
guilty of a second degree felony, unless the child is under the
age of thirteen, in which event the person is guilty of a first
degree felony.

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1 B. Any person hiring or offering to hire a child
2 over the age of thirteen and under the age of [~~sixteen~~]
3 eighteen to engage in any prohibited sexual act is guilty of a
4 second degree felony.

5 C. Any parent, legal guardian or person having
6 custody or control of a child under [~~sixteen~~] eighteen years of
7 age who knowingly permits that child to engage in or to assist
8 any other person to engage in any prohibited sexual act or
9 simulation of such an act for the purpose of producing any
10 visual or print medium depicting such an act is guilty of a
11 third degree felony."

12 SECTION 2. Section 30-9-1 NMSA 1978 (being Laws 1963,
13 Chapter 303, Section 9-10) is amended to read:

14 "30-9-1. ENTICEMENT OF CHILD.--Enticement of child
15 consists of:

16 A. enticing, persuading or attempting to persuade a
17 child under the age of [~~sixteen~~] eighteen years to enter any
18 vehicle, building, room or secluded place with intent to commit
19 an act [~~which~~] that would constitute a crime under Chapter 30,
20 Article 9 [~~of the Criminal Code~~] NMSA 1978; or

21 B. having possession of a child under the age of
22 [~~sixteen~~] eighteen years in any vehicle, building, room or
23 secluded place with intent to commit an act [~~which~~] that would
24 constitute a crime under Chapter 30, Article 9 [~~of the Criminal~~
25 Code] NMSA 1978.

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Whoever commits enticement of child is guilty of a
misdemeanor."

SECTION 3. EFFECTIVE DATE.--The effective date of the
provisions of this act is July 1, 2013.