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HOUSE BILL 265

52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016

INTRODUCED BY

Antonio "Moe" Maestas

AN ACT

RELATING TO CRIMINAL PROCEDURE; REQUIRING THAT WHEN A BENCH WARRANT PERTAINING TO A CRIMINAL MATTER OR AN ARREST WARRANT IS ISSUED, THE COURT PROMPTLY NOTIFY THE SHERIFF'S OFFICE, THAT THE SHERIFF'S OFFICE IMMEDIATELY ENTER THE WARRANT IN THE NATIONAL CRIME INFORMATION CENTER DATABASE, THAT THE COURT NOTIFY THE DISTRICT ATTORNEY'S OFFICE AND THE BONDING COMPANY WITHIN TWENTY-FOUR HOURS AND THAT THE DISTRICT ATTORNEY'S OFFICE NOTIFY THE APPROPRIATE LAW ENFORCEMENT AGENCY AND BONDING COMPANY.

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

SECTION 1. A new section of the Criminal Procedure Act is enacted to read:

"[NEW MATERIAL] BENCH AND ARREST WARRANTS--INPUT INTO NATIONAL CRIME INFORMATION CENTER DATABASE--NOTIFICATION WITHIN

underscoring material = new
~~[bracketed material] = delete~~

underscoring material = new
~~[bracketed material] = delete~~

1 TWENTY-FOUR HOURS.--

2 A. When a bench warrant pertaining to a criminal
3 matter or an arrest warrant is issued by a court, the court
4 shall promptly notify the sheriff's office in which the court
5 is located to enter the warrant into the national crime
6 information center database. The warrant shall be entered into
7 the database immediately upon receipt by the sheriff's office.

8 B. When a bench warrant pertaining to a criminal
9 matter or an arrest warrant is issued by a court, the district
10 attorney's office for the district in which the court is
11 located shall be notified within twenty-four hours. The
12 district attorney's office shall also notify the appropriate
13 law enforcement agencies of the warrant and, when applicable,
14 the appropriate bonding company. If the person for whom the
15 bench or arrest warrant has been issued has been released on
16 bail, the applicable bonding company shall be notified within
17 twenty-four hours.

18 C. Upon learning of the outstanding warrant, the
19 local law enforcement agency and, if applicable, the bonding
20 company shall, as immediately as practical, take all
21 reasonable, affirmative steps to apprehend the person."