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HOUSE BILL 577

**54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

INTRODUCED BY

Micaela Lara Cadena and Georgene Louis and Gail Chasey and  
Deborah A. Armstrong and Rodolpho "Rudy" S. Martinez

AN ACT

RELATING TO CORRECTIONS; CHANGING THE DEFINITION OF "OUT-OF-  
STATE INMATE".

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

**SECTION 1.** Section 33-15-2 NMSA 1978 (being Laws 2001,  
Chapter 169, Section 2) is amended to read:

"33-15-2. DEFINITIONS.--As used in the Privately Operated  
Correctional Facilities Oversight Act:

A. "out-of-state inmate" means a person  
incarcerated in a privately operated correctional facility  
within this state who is being incarcerated on behalf of a  
state other than New Mexico or a governmental entity whose  
jurisdiction is outside the state of New Mexico. "Out-of-state  
inmate" does not include a person who is being incarcerated on  
behalf of an Indian tribe or pueblo whose lands are located

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wholly or partially within New Mexico [~~or on behalf of the United States~~];

B. "privately operated correctional facility" means a correctional facility or jail that has all or substantially all of its security operations performed by persons employed by, or engaged by, a private entity to perform security functions; and

C. "secretary" means the secretary of corrections or ~~his~~ the secretary's designee."