

1 SENATE BILL 20

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SPECIAL SESSION, 2020**

3 INTRODUCED BY

4 Mark Moores and Gregory A. Baca and William H. Payne
5 and Ron Griggs
6
7
8
9

10 AN ACT

11 RELATING TO PUBLIC HEALTH; ELIMINATING CIVIL PENALTIES FOR
12 VIOLATIONS OF THE PUBLIC HEALTH ACT OR ORDERS, RULES OR
13 REGULATIONS ADOPTED PURSUANT TO THAT ACT; DECLARING AN
14 EMERGENCY.
15

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

17 **SECTION 1.** Section 24-1-21 NMSA 1978 (being Laws 1973,
18 Chapter 359, Section 22, as amended) is amended to read:

19 "24-1-21. PENALTIES.--Any person violating any of the
20 provisions of the Public Health Act or any order, rule or
21 regulation adopted pursuant to the provisions of the Public
22 Health Act is guilty of a petty misdemeanor and shall be
23 punished by a fine not to exceed one hundred dollars (\$100) or
24 imprisonment in the county jail for a definite term not to
25 exceed six months or both such fine and imprisonment in the

.217968.1

underscored material = new
[bracketed material] = delete

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

1 discretion of the court. Each day of a continuing violation of
2 Subsection A of Section 24-1-5 NMSA 1978 after conviction shall
3 be considered a separate offense. ~~[The department also may~~
4 ~~enforce its rules and orders by any appropriate civil action.~~
5 ~~The attorney general shall represent the department.]"~~

6 SECTION 2. EMERGENCY.--It is necessary for the public
7 peace, health and safety that this act take effect immediately.

8 - 2 -