

1 SENATE BILL 264

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

4 Antonio Maestas

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9  
10 AN ACT

11 RELATING TO EMBEZZLEMENT; ALLOWING A TWELVE-MONTH AGGREGATION  
12 OF INCIDENTS OF EMBEZZLEMENT TO DETERMINE PENALTY.

13  
14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

15 SECTION 1. Section 30-16-8 NMSA 1978 (being Laws 1963,  
16 Chapter 303, Section 16-7, as amended) is amended to read:

17 "30-16-8. EMBEZZLEMENT.--

18 A. Embezzlement consists of a person embezzling or  
19 converting to the person's own use anything of value, with  
20 which the person has been entrusted, with fraudulent intent to  
21 deprive the owner thereof.

22 B. Whoever commits embezzlement when the value of  
23 the thing embezzled or converted is two hundred fifty dollars  
24 (\$250) or less in any consecutive twelve-month period is guilty  
25 of a petty misdemeanor.

.223564.1

underscored material = new  
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1 C. Whoever commits embezzlement when the value of  
2 the thing embezzled or converted is over two hundred fifty  
3 dollars (\$250) but not more than five hundred dollars (\$500) in  
4 any consecutive twelve-month period is guilty of a misdemeanor.

5 D. Whoever commits embezzlement when the value of  
6 the thing embezzled or converted is over five hundred dollars  
7 (\$500) but not more than two thousand five hundred dollars  
8 (\$2,500) in any consecutive twelve-month period is guilty of a  
9 fourth degree felony.

10 E. Whoever commits embezzlement when the value of  
11 the thing embezzled or converted is over two thousand five  
12 hundred dollars (\$2,500) but not more than twenty thousand  
13 dollars (\$20,000) in any consecutive twelve-month period is  
14 guilty of a third degree felony.

15 F. Whoever commits embezzlement when the value of  
16 the thing embezzled or converted exceeds twenty thousand  
17 dollars (\$20,000) in any consecutive twelve-month period is  
18 guilty of a second degree felony."