



Duplicates/Conflicts with/Companion to/Relates to: HB 103 (see note below)  
Duplicates/Relates to Appropriation in the General Appropriation Act

### **SECTION III: NARRATIVE**

#### **BILL SUMMARY**

##### Synopsis:

HB 104 amends Section 31-26-3 NMSA 1978, the definitions section of the Victims of Crime Act, to add several offenses to the list of offenses included in the definition of “criminal offense”, as used in the Act:

- Aggravated assault upon a peace officer;
- Assault with intent to commit a violent felony upon a peace officer;
- Battery upon a peace officer; and
- Aggravated battery upon a peace officer.

The bill also amends Section 31-26-3 to make several clarifications to citations for other included criminal offenses.

#### **FISCAL IMPLICATIONS**

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

#### **SIGNIFICANT ISSUES**

#### **PERFORMANCE IMPLICATIONS**

#### **ADMINISTRATIVE IMPLICATIONS**

#### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

Relationship to HB 103. HB 103 proposes several changes to Section 30-22-25 NMSA 1978, aggravated battery upon peace officer, including inserting “a” into the title before “peace officer”, so the full title reads “aggravated battery upon a peace officer”. If HB 103 is enacted, it would change the title of that offense in line 25 of page 3 of this bill. (See the related technical issue noted below.)

#### **TECHNICAL ISSUES**

Page 3, lines 18 through 25: the titles of all four Sections being added to the list of criminal offenses included in the Act read “. . . upon a peace officer” in this bill, but the titles of each of those Sections in the Criminal Code omit the “a” before “peace officer”. (Example: line 18 reads “(22) aggravated assault upon a peace officer, as provided in Section 30-22-22 NMSA 1978”, but the title of Section 30-22-22 is “Aggravated assault upon peace officer”.)

However, see the relationship to HB 103 noted above.

**OTHER SUBSTANTIVE ISSUES**

**ALTERNATIVES**

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

**AMENDMENTS**