

1 SENATE BILL 18

2 57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

3 INTRODUCED BY

4 Craig W. Brandt and Steve D. Lanier

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10 AN ACT

11 RELATING TO CRIMES AGAINST THE PUBLIC PEACE; CREATING THE CRIME
12 OF SWATTING; PRESCRIBING PENALTIES FOR SWATTING; INCREASING THE
13 PENALTY FOR MAKING A SHOOTING THREAT TO A FOURTH DEGREE FELONY;
14 DEFINING "PUBLIC SAFETY AGENCY"; MAKING CONFORMING AMENDMENTS.

15
16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. Section 30-20-16 NMSA 1978 (being Laws 1975,
18 Chapter 285, Section 1, as amended) is amended to read:

19 "30-20-16. BOMB SCARES, [~~AND~~] SHOOTING THREATS AND
20 SWATTING UNLAWFUL.--

21 A. Making a bomb scare consists of falsely and
22 maliciously stating to another person that a bomb or other
23 explosive has been placed in such a position that property or
24 persons are likely to be injured or destroyed.

25 B. Making a shooting threat consists of

.229269.1

underscored material = new
[bracketed material] = delete

1 intentionally communicating to another person an intent to
2 bring a firearm to a property or use the firearm with the
3 intent to:

4 (1) place a person or group of persons in fear
5 of great bodily harm;

6 (2) prevent or interrupt the occupation or use
7 of a public building; or

8 (3) cause a response to the threat by a law
9 enforcement official or volunteer agency organized to deal with
10 emergencies.

11 C. Swatting consists of knowingly making a false or
12 misleading report to a public safety agency of an ongoing
13 emergency or threat of violence with the intent to cause an
14 immediate response from a public safety agency.

15 [~~E.~~] D. Whoever commits making a bomb scare, [~~is~~
16 ~~guilty of a fourth degree felony.~~

17 ~~D. Whoever commits]~~ making a shooting threat [~~is~~
18 ~~guilty of a misdemeanor]~~ or swatting is guilty of a fourth
19 degree felony.

20 E. A court may order a person convicted [~~for the~~
21 ~~offense]~~ of making a bomb scare, [~~or~~] making a shooting threat
22 or swatting to reimburse the victim of the offense for economic
23 harm caused by that offense.

24 F. As used in this section:

25 (1) "economic harm" means [~~all~~] direct,

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[bracketed material] = delete

1 incidental and consequential financial harm [~~suffered by a~~
2 ~~victim of the offense of making a bomb scare or shooting~~
3 ~~threat. "Economic harm"] and includes:~~

4 [~~(1)~~] (a) lost wages, salaries or other
5 compensation; [~~lost as a result of the commission of the~~
6 ~~offense of making a bomb scare or shooting threat~~

7 ~~(2)~~] (b) the cost of [~~all~~] wages,
8 salaries or other compensation paid to employees for time that
9 those employees are prevented from working [~~as a result of the~~
10 ~~commission of the offense of making a bomb scare or shooting~~
11 ~~threat~~]; and

12 [~~(3)~~] (c) overhead costs incurred for
13 the period of time that a business is shut down; [~~as a result~~
14 ~~of the commission of the offense of making a bomb scare or~~
15 ~~shooting threat~~] and

16 (2) "public safety agency" means a law
17 enforcement, firefighting or emergency medical services agency
18 or a public safety answering point operating in accordance with
19 the Enhanced 911 Act."