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SENATE BILL 2

42ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1996

INTRODUCED BY

TOM R. BENAVIDES

AN ACT

RELATING TO CRIMINAL OFFENSES; INCREASING THE PENALTY FOR
BRIBERY OR INTIMIDATION OF A WITNESS AND FOR RETALIATION AGAINST
A WITNESS.

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

Section 1. Section 30-24-3 NMSA 1978 (being Laws 1963,
Chapter 303, Section 24-3, as amended) is amended to read:

"30-24-3. BRIBERY OR INTIMIDATION OF A WITNESS--
RETALIATION AGAINST A WITNESS.--

A. Bribery or intimidation of a witness consists of
any person knowingly:

(1) giving or offering to give anything of
value to any witness or to any person likely to become a witness
in any judicial, administrative, legislative or other official
cause or proceeding to testify falsely or to abstain from

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1 testifying to any fact in such cause or proceeding;

2 (2) intimidating or threatening any witness or
3 person likely to become a witness in any judicial,
4 administrative, legislative or other official cause or
5 proceeding for the purpose of preventing such individual from
6 testifying to any fact, to abstain from testifying or to testify
7 falsely; or

8 (3) intimidating or threatening any person or
9 giving or offering to give anything of value to any person with
10 the intent to keep the person from truthfully reporting to a law
11 enforcement officer, or any agency of government that is
12 responsible for enforcing criminal laws, information relating to
13 the commission or possible commission of a felony offense or a
14 violation of conditions of probation, parole or release pending
15 judicial proceedings.

16 B. Retaliation against a witness consists of any
17 person knowingly engaging in conduct that causes bodily injury
18 to another person or damage to the tangible property of another
19 person, or threatening to do so, with the intent to retaliate
20 against any person for any information relating to the
21 commission or possible commission of a felony offense or a
22 violation of conditions of probation, parole or release pending
23 judicial proceedings given by a person to a law enforcement
24 officer.

25 C. Whoever commits bribery or intimidation of a

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1 witness or retaliation against a witness is guilty of a [fourth]
2 third degree felony. "

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1 FORTY- SECOND LEGI SLATURE
2 SECOND SESSI ON, 1996

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5 FEBRUARY 9, 1996

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7 Mr. Presi dent:

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9 Your COMMI TTEES' COMMI TTEE, to whom has been referred

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11 SENATE BILL 2

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13 has had it under consideration and finds same to be GERMANE, PURSUANT
14 TO SENATE EXECUTIVE MESSAGE NUMBER 30, and thence referred to the
15 JUDI CI ARY COMMI TTEE.

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17 Respectfully submi tted,

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23 SENATOR MANNY M. ARAGON, Chai rman
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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

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1 FORTY-SECOND LEGISLATURE
2 SECOND SESSION, 1996
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5 February 12, 1996
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7 Mr. President:
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9 Your JUDICIARY COMMITTEE, to whom has been referred
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11 SENATE BILL 2
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13 has had it under consideration and reports same with recommendation that
14 it DO PASS, and thence referred to the FINANCE COMMITTEE.
15

16 Respectfully submitted,
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21 Janice D. Paster, Chairman
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25 Adopted _____

(Chief Clerk)

Not Adopted _____

(Chief Clerk)

Date _____

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The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: 0

Absent: Carraro, Sanchez, Tsosie, Vernon

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