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SENATE BILL 390

47th legislature - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Joseph J. Carraro

AN ACT

RELATING TO CRIMINAL LAW; CREATING A NEW CRIMINAL OFFENSE KNOWN AS CHILD ENDANGERMENT; PROVIDING PENALTIES; ENACTING A NEW SECTION OF THE NMSA 1978.

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

Section 1. A new section of Chapter 30, Article 6 NMSA 1978 is enacted to read:

"NEW MATERIAL CHILD ENDANGERMENT. --

A. Child endangerment consists of a person transporting a child in a motor vehicle while violating the provisions of Section 66-8-102 NMSA 1978, regarding driving while under the influence of intoxicating liquor or drugs.

B. Whoever commits child endangerment that does not result in injury to the child is guilty of a third degree felony.

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C. Whoever commits child endangerment that results in an injury to the child is guilty of a second degree felony.

D. Whoever commits child endangerment that results in great bodily harm to the child or the child's death is guilty of a first degree felony. "

Section 2. EFFECTIVE DATE. --The effective date of the provisions of this act is July 1, 2005.

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