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HOUSE BILL 263

47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006

INTRODUCED BY

Al Park

AN ACT

RELATING TO PUBLIC OFFICIALS; ENHANCING SENTENCES FOR FELONIES.

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

Section 1. A new section of the Criminal Sentencing Act is enacted to read:

"[NEW MATERIAL] FELONIES--PUBLIC OFFICIALS--ENHANCEMENT OF SENTENCES.--

A. As used in this section, "public official" means a person elected to an office in an election covered by the Campaign Reporting Act or a person appointed to an office that is subject to an election covered by that act.

B. When a separate finding of fact by the court or jury shows beyond a reasonable doubt that an offender is a public official and that the felony conviction relates to, arises out of or is in connection with the offender's holding

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underscoring material = new
~~[bracketed material] = delete~~

underscoring material = new
~~[bracketed material]~~ = delete

1 of an elected office, the basic sentence may be increased by
2 one year. A sentence imposed pursuant to the provisions of
3 this section may include an alternative sentence that requires
4 community service, treatment, education or any combination
5 thereof. The court may suspend or defer any or all of the
6 sentence or grant a conditional discharge, unless otherwise
7 provided by law."

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