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HOUSE BILL 541

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

INTRODUCED BY

W. Ken Martinez

AN ACT

RELATING TO CRIMINAL LAW; CREATING THE CRIME OF ESCAPE FROM A
SECURE RESIDENTIAL TREATMENT FACILITY.

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

Section 1. ESCAPE FROM A SECURE RESIDENTIAL TREATMENT
FACILITY.--

A. Escape from a secure residential treatment
facility consists of a person lawfully committed to a secure
residential treatment facility escaping or attempting to escape
from the facility.

B. Whoever commits escape from a secure residential
treatment facility is guilty of a:

(1) misdemeanor if the person was committed to
the facility as a result of a misdemeanor charge; or

(2) fourth degree felony if the person was

underscored material = new
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1 committed to the facility as a result of a felony charge.

2 C. As used in this section, "secure residential
3 treatment facility" means a secure facility not located within
4 a correctional facility or detention center in which residents
5 are being treated for substance abuse problems, and personnel
6 and physical barriers prevent the residents from leaving.