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HOUSE BILL 480

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

William "Bill" R. Rehm

AN ACT

RELATING TO CRIMINAL LAW; EXTENDING THE TIME LIMITATION FOR
PROSECUTING THE CRIMES OF CONSPIRACY AND TAMPERING WITH
EVIDENCE TO COINCIDE WITH THE TIME LIMITATION FOR THE
UNDERLYING CRIME; CLARIFYING THE TIME LIMITATION FOR
PROSECUTING A FIRST DEGREE FELONY.

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

Section 1. Section 30-1-8 NMSA 1978 (being Laws 1963,
Chapter 303, Section 1-8, as amended) is amended to read:

"30-1-8. TIME LIMITATIONS FOR COMMENCING PROSECUTION.--

[No] A person shall not be prosecuted, tried or punished in any
court of this state unless the indictment is found or
information or complaint is filed [~~therefor~~] within the time as
provided:

A. for a second degree felony, within six years

underscored material = new
[bracketed material] = delete

1 from the time the crime was committed;

2 B. for a third or fourth degree felony, within five
3 years from the time the crime was committed;

4 C. for a misdemeanor, within two years from the
5 time the crime was committed;

6 D. for a petty misdemeanor, within one year from
7 the time the crime was committed;

8 E. for the crime of conspiracy, within the same
9 time period as the crime conspired to be committed would be
10 prosecuted;

11 F. for the crime of tampering with evidence, within
12 the same time period as the crime for which the tampering with
13 evidence was committed would be prosecuted;

14 [~~E.~~] G. for any crime against or violation of
15 Section 51-1-38 NMSA 1978, within three years from the time the
16 crime was committed;

17 [~~F.~~] H. for a felony pursuant to [~~Sections~~] Section
18 7-1-71.3, 7-1-72 or 7-1-73 NMSA 1978 [~~or Section 4 of this 2005~~
19 ~~act~~], within five years from the time the crime was committed;
20 provided that for a series of crimes involving multiple filing
21 periods within one calendar year, the limitation shall begin to
22 run on December 31 of the year in which the crimes occurred;

23 [~~G.~~] I. for any crime not contained in the Criminal
24 Code or where a limitation is not otherwise provided for,
25 within three years from the time the crime was committed; and

.163957.1

