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HOUSE BILL 174

**51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014**

INTRODUCED BY

Vicki Perea

AN ACT

RELATING TO CRIMINAL LAW; INCREASING THE CRIMINAL PENALTY FOR  
ENTICEMENT OF A CHILD.

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

SECTION 1. Section 30-9-1 NMSA 1978 (being Laws 1963,  
Chapter 303, Section 9-10) is amended to read:

"30-9-1. ENTICEMENT OF CHILD.--

A. Enticement of child consists of:

~~[A.]~~ (1) enticing, persuading or attempting to  
persuade a child under the age of sixteen years to enter any  
vehicle, building, room or secluded place with intent to commit  
an act ~~[which]~~ that would constitute a crime under Chapter 30,  
Article 9 ~~[of the Criminal Code]~~ NMSA 1978; or

~~[B.]~~ (2) having possession of a child under  
the age of sixteen years in any vehicle, building, room or

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

underscored material = new  
[bracketed material] = delete

1 secluded place with intent to commit an act [~~which~~] that would  
2 constitute a crime under Chapter 30, Article 9 [~~of the Criminal~~  
3 ~~Code~~] NMSA 1978.

4 B. Whoever commits enticement of child is guilty of  
5 a [~~misdemeanor~~]:

6 (1) fourth degree felony if the child is at  
7 least thirteen but under sixteen years of age; or

8 (2) third degree felony if the child is under  
9 thirteen years of age."

10 **SECTION 2. EFFECTIVE DATE.**--The effective date of the  
11 provisions of this act is July 1, 2014.