

1 SENATE BILL 257

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016**

3 INTRODUCED BY

4 Nancy Rodriguez

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10 AN ACT

11 RELATING TO CRIMINAL SENTENCING; AMENDING A SECTION OF THE
12 PROBATION AND PAROLE ACT TO ADD PERSONS CONVICTED IN
13 MAGISTRATE, METROPOLITAN OR MUNICIPAL COURTS TO THE DEFINITION
14 OF "ADULT".

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

17 SECTION 1. Section 31-21-5 NMSA 1978 (being Laws 1978,
18 Chapter 41, Section 1, as amended) is amended to read:

19 "31-21-5. DEFINITIONS.--As used in the Probation and
20 Parole Act:

21 A. "probation" means the procedure under which an
22 adult defendant, found guilty of a crime upon verdict or plea,
23 is released by the court without imprisonment under a suspended
24 or deferred sentence and subject to conditions;

25 B. "parole" means the release to the community of

.203574.1

underscored material = new
[bracketed material] = delete

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

1 an inmate of an institution by decision of the board or by
2 operation of law, subject to conditions imposed by the board
3 and to its supervision;

4 C. "institution" means the state penitentiary and
5 any other similar state institution hereinafter created;

6 D. "board" means the parole board;

7 E. "director" means the director of the ~~[field~~
8 ~~services]~~ adult probation and parole division of the
9 corrections department or any employee designated by ~~[him]~~ the
10 director; and

11 F. "adult" means any person convicted of a crime by
12 a district, magistrate, metropolitan or municipal court."

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