

State of New Mexico  
Senate

*Adopted*

FIFTY-THIRD LEGISLATURE  
FIRST SESSION

March 16, 2017

SENATE FLOOR AMENDMENT number   1   to HOUSE FLOOR SUBSTITUTE FOR  
HOUSE JUDICIARY COMMITTEE  
SUBSTITUTE FOR HOUSE BILL  
175

Amendment sponsored by Senator

1. On page 3, line 5, after "exhibiting", insert a colon and strike the remainder of the line.

2. On page 3, strike lines 6 through 9 in their entirety and insert in lieu thereof the following:

"(a) self-injurious behavior;

(b) delusions;

(c) suicidal behavior; or

(d) grossly abnormal and irrational behaviors;"

3. On page 3, line 11, after "apply", insert a colon and the following:

"(1) if a health care professional determines that an inmate exhibiting a behavior described in Paragraph (2) of Subsection A of this section does not have a serious mental disability; or

(2)".

4. On page 3, line 15, after "disability", insert a colon and the paragraph designation "(1)".

5. On page 3, line 21, strike the paragraph designation "(1)"

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and insert in lieu thereof the subparagraph designation "(a)".

6. On page 3, line 24, strike the paragraph designation "(2)" and insert in lieu thereof the subparagraph designation "(b)".

7. On page 4, line 2, strike the paragraph designation "(3)" and insert in lieu thereof the subparagraph designation "(c)".

8. On page 4, line 4, before the period, insert "; or" and the following new paragraph:

"(2) poses an extreme and ongoing threat of physical harm to another person, the inmate may be placed in restricted housing for longer than forty-eight consecutive hours only if:

(a) the inmate is placed in restricted housing for the shortest possible time period and under the least restrictive conditions practicable;

(b) the facility makes a good faith effort to provide regular access to medical and mental health care for the inmate; and

(c) the warden, administrator or person in charge of the facility prepares a written action plan that includes a time line and that describes how the facility will transition the inmate out of restricted housing at the earliest opportunity".

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(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_