

HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR
HOUSE BILL 86

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

AN ACT

RELATING TO CRIME; AMENDING THE TIME LIMITATION FOR COMMENCING PROSECUTION OF HUMAN TRAFFICKING; INCREASING THE AGE FOR SEXUAL EXPLOITATION OF CHILDREN BY PROSTITUTION TO EIGHTEEN; ADDING HUMAN TRAFFICKING TO THE DEFINITION OF "RACKETEERING"; AMENDING THE ELEMENTS OF HUMAN TRAFFICKING; PROVIDING A DEFINITION OF "HARM"; PROHIBITING CERTAIN DEFENSES IN A PROSECUTION FOR HUMAN TRAFFICKING; ADDING VICTIMS OF HUMAN TRAFFICKING AND SEXUAL EXPLOITATION OF CHILDREN TO THE VICTIMS OF CRIME ACT; PROHIBITING EARNED MERITORIOUS DEDUCTIONS FOR A HUMAN TRAFFICKING SENTENCE.

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.--A

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1 person shall not be prosecuted, tried or punished in any court
2 of this state unless the indictment is found or information or
3 complaint is filed within the time as provided:

4 A. for a second degree felony, within six years
5 from the time the crime was committed;

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

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

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

12 E. for any crime against or violation of Section
13 51-1-38 NMSA 1978, within three years from the time the crime
14 was committed;

15 F. for a felony pursuant to Section 7-1-71.3,
16 7-1-72 or 7-1-73 NMSA 1978, within five years from the time the
17 crime was committed; provided that for a series of crimes
18 involving multiple filing periods within one calendar year, the
19 limitation shall begin to run on December 31 of the year in
20 which the crimes occurred;

21 G. for an identity theft crime pursuant to Section
22 30-16-24.1 NMSA 1978, within five years from the time the crime
23 was discovered;

24 H. for a human trafficking crime pursuant to
25 Section 30-52-1 NMSA 1978, six years from when the crime was

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1 reported to law enforcement;

2 [~~H.~~] I. for any crime not contained in the Criminal
3 Code or where a limitation is not otherwise provided for,
4 within three years from the time the crime was committed; and

5 [~~F.~~] J. for a capital felony, a first degree
6 violent felony or second degree murder pursuant to Subsection B
7 of Section 30-2-1 NMSA 1978, no limitation period shall exist,
8 and prosecution for these crimes may commence at any time after
9 the occurrence of the crime."

10 **SECTION 2.** Section 30-6A-4 NMSA 1978 (being Laws 1984,
11 Chapter 92, Section 4, as amended) is amended to read:

12 "30-6A-4. SEXUAL EXPLOITATION OF CHILDREN BY
13 PROSTITUTION.--

14 A. Any person knowingly receiving any pecuniary
15 profit as a result of a child under the age of [~~sixteen~~]
16 eighteen engaging in a prohibited sexual act with another is
17 guilty of a second degree felony, unless the child is under the
18 age of thirteen, in which event the person is guilty of a first
19 degree felony.

20 B. Any person knowingly hiring or offering to hire
21 a child under the age of [~~sixteen~~] eighteen to engage in any
22 prohibited sexual act is guilty of a second degree felony.

23 C. Any parent, legal guardian or person having
24 custody or control of a child under [~~sixteen~~] eighteen years of
25 age who knowingly permits that child to engage in or to assist

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1 any other person to engage in any prohibited sexual act or
2 simulation of such an act for the purpose of producing any
3 visual or print medium depicting such an act is guilty of a
4 third degree felony.

5 D. In a prosecution for sexual exploitation of
6 children by prostitution, it shall not constitute a defense to
7 prosecution that the defendant's intended victim was a peace
8 officer posing as a child under eighteen years of age."

9 SECTION 3. Section 30-42-3 NMSA 1978 (being Laws 1980,
10 Chapter 40, Section 3, as amended) is amended to read:

11 "30-42-3. DEFINITIONS.--As used in the Racketeering Act:

12 A. "racketeering" means any act that is chargeable
13 or indictable under the laws of New Mexico and punishable by
14 imprisonment for more than one year, involving any of the
15 following cited offenses:

16 (1) murder, as provided in Section 30-2-1 NMSA
17 1978;

18 (2) robbery, as provided in Section 30-16-2
19 NMSA 1978;

20 (3) kidnapping, as provided in Section 30-4-1
21 NMSA 1978;

22 (4) forgery, as provided in Section 30-16-10
23 NMSA 1978;

24 (5) larceny, as provided in Section 30-16-1
25 NMSA 1978;

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1 (6) fraud, as provided in Section 30-16-6 NMSA
2 1978;

3 (7) embezzlement, as provided in Section
4 30-16-8 NMSA 1978;

5 (8) receiving stolen property, as provided in
6 Section 30-16-11 NMSA 1978;

7 (9) bribery, as provided in Sections 30-24-1
8 through 30-24-3.1 NMSA 1978;

9 (10) gambling, as provided in Sections
10 30-19-3, 30-19-13 and 30-19-15 NMSA 1978;

11 (11) illegal kickbacks, as provided in
12 Sections 30-41-1 and 30-41-2 NMSA 1978;

13 (12) extortion, as provided in Section 30-16-9
14 NMSA 1978;

15 (13) trafficking in controlled substances, as
16 provided in Section 30-31-20 NMSA 1978;

17 (14) arson and aggravated arson, as provided
18 in Subsection A of Section 30-17-5 and Section 30-17-6 NMSA
19 1978;

20 (15) promoting prostitution, as provided in
21 Section 30-9-4 NMSA 1978;

22 (16) criminal solicitation, as provided in
23 Section 30-28-3 NMSA 1978;

24 (17) fraudulent securities practices, as
25 provided in the New Mexico Uniform Securities Act;

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1 (18) loan sharking, as provided in Sections
2 30-43-1 through 30-43-5 NMSA 1978;

3 (19) distribution of controlled substances or
4 controlled substance analogues, as provided in Sections
5 30-31-21 and 30-31-22 NMSA 1978;

6 (20) a violation of the provisions of Section
7 30-51-4 NMSA 1978;

8 (21) unlawful taking of a vehicle or motor
9 vehicle, as provided in Section 30-16D-1 NMSA 1978;

10 (22) embezzlement of a vehicle or motor
11 vehicle, as provided in Section 30-16D-2 NMSA 1978;

12 (23) fraudulently obtaining a vehicle or motor
13 vehicle, as provided in Section 30-16D-3 NMSA 1978;

14 (24) receiving or transferring stolen vehicles
15 or motor vehicles, as provided in Section 30-16D-4 NMSA 1978;

16 (25) altering or changing the serial number,
17 engine number, decal or other numbers or marks of a vehicle or
18 motor vehicle, as provided in Section 30-16D-6 NMSA 1978; [~~and~~]

19 (26) trafficking cannabis products, as
20 provided in Section 26-2C-28 NMSA 1978; and

21 (27) human trafficking, as provided in Section
22 30-52-1 NMSA 1978;

23 B. "person" means an individual or entity capable
24 of holding a legal or beneficial interest in property;

25 C. "enterprise" means a sole proprietorship,

1 partnership, corporation, business, labor union, association or
2 other legal entity or a group of individuals associated in fact
3 although not a legal entity and includes illicit as well as
4 licit entities; and

5 D. "pattern of racketeering activity" means
6 engaging in at least two incidents of racketeering with the
7 intent of accomplishing any of the prohibited activities set
8 forth in Subsections A through D of Section 30-42-4 NMSA 1978;
9 provided that at least one of the incidents occurred after
10 February 28, 1980 and the last incident occurred within five
11 years after the commission of a prior incident of
12 racketeering."

13 SECTION 4. Section 30-52-1 NMSA 1978 (being Laws 2008,
14 Chapter 17, Section 1) is amended to read:

15 "30-52-1. HUMAN TRAFFICKING.--

16 A. Human trafficking consists of a person
17 knowingly:

18 (1) recruiting, soliciting, enticing,
19 transporting, harboring, maintaining, patronizing, providing or
20 obtaining by any means another person with the intent or
21 knowledge that force, fraud or coercion will be used to subject
22 the person to labor, services or commercial sexual activity;

23 (2) recruiting, soliciting, enticing,
24 transporting, harboring, maintaining, patronizing, providing or
25 obtaining by any means a person under the age of eighteen years

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1 with the intent or knowledge that the person will be caused to
2 engage in commercial sexual activity; ~~[or]~~

3 (3) benefiting, financially or by receiving
4 anything of value, from the labor, services or commercial
5 sexual activity of another person ~~[with the knowledge]~~ where
6 the person benefiting knew or should have known that force,
7 fraud or coercion was used to obtain the labor, services or
8 commercial sexual activity; or

9 (4) utilizing a person's services to compel
10 the repayment of a financial debt or other obligation when the
11 person who holds or enforces the debt or obligation does not
12 pay the laborer in accordance with state and local law and has
13 actual or perceived control over the laborer, and the laborer
14 has no reasonable means to terminate the labor arrangement.

15 B. The attorney general and the district attorney
16 in the county of jurisdiction have concurrent jurisdiction to
17 enforce the provisions of this section.

18 C. Whoever commits human trafficking is guilty of a
19 ~~[third]~~ second degree felony; except if the victim is under the
20 age of

21 ~~[(1) sixteen, the person is guilty of a second~~
22 ~~degree felony; or~~

23 ~~(2) thirteen]~~ eighteen, the person is guilty
24 of a first degree felony.

25 D. Prosecution pursuant to this section shall not

1 prevent prosecution pursuant to any other provision of the law
2 when the conduct also constitutes a violation of that other
3 provision.

4 E. In a prosecution pursuant to this section, a
5 human trafficking victim shall not be charged with accessory to
6 the crime of human trafficking or for prostitution as provided
7 in Section 30-9-2 NMSA 1978.

8 F. A person convicted of human trafficking shall,
9 in addition to any other punishment, be ordered to make
10 restitution to the victim for the gross income or value of the
11 victim's labor or services and any other actual damages in
12 accordance with Section 31-17-1 NMSA 1978.

13 G. As used in this section:

14 (1) "coercion" means:

15 (a) causing or threatening to cause harm
16 to or using physical restraint on any person;

17 (b) using or threatening to use physical
18 force or restraint against any person;

19 (c) abusing or threatening to abuse the
20 law or legal process;

21 (d) threatening to report the
22 immigration status of any person to governmental authorities;
23 or

24 (e) knowingly destroying, concealing,
25 removing, confiscating or retaining any actual or purported

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1 government document of any person; ~~and~~

2 (2) "commercial sexual activity" means any
3 sexual act or sexually explicit exhibition for which anything
4 of value is given, promised to or received by any person; and

5 (3) "harm" means any harm, whether physical or
6 nonphysical, including psychological, financial or reputational
7 harm, that is sufficiently serious under all of the surrounding
8 circumstances to compel a reasonable person of the same
9 background and in the same circumstances to perform or to
10 continue performing compelled labor, services or commercial
11 sexual activity to avoid or attempt to avoid receiving harm.

12 H. In a prosecution for human trafficking pursuant
13 to this section, evidence of the following facts or conditions
14 shall not constitute a defense to prosecution:

15 (1) the victim's sexual history or history of
16 commercial sexual activity, specific instances of the victim's
17 sexual conduct, opinion evidence of the victim's sexual conduct
18 and reputational evidence of the victim's sexual conduct;

19 (2) the consent of a minor;

20 (3) a mistake as to the victim's age; and

21 (4) that the defendant's intended victim was a
22 peace officer posing as a child under eighteen years of age.

23 I. A person convicted of human trafficking pursuant
24 to this section shall be subject to the Forfeiture Act."

25 SECTION 5. Section 31-26-3 NMSA 1978 (being Laws 1994,

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1 Chapter 144, Section 3, as amended) is amended to read:

2 "31-26-3. DEFINITIONS.--As used in the Victims of Crime
3 Act:

4 A. "court" means magistrate court, metropolitan
5 court, children's court, district court, the court of appeals
6 or the supreme court;

7 B. "criminal offense" means:

8 (1) negligent arson resulting in death or
9 bodily injury, as provided in Paragraph (1) of Subsection [B] C
10 of Section 30-17-5 NMSA 1978;

11 (2) aggravated arson, as provided in Section
12 30-17-6 NMSA 1978;

13 (3) aggravated assault, as provided in Section
14 30-3-2 NMSA 1978;

15 (4) aggravated battery, as provided in Section
16 30-3-5 NMSA 1978;

17 (5) dangerous use of explosives, as provided
18 in Section 30-7-5 NMSA 1978;

19 (6) negligent use of a deadly weapon, as
20 provided in Section 30-7-4 NMSA 1978;

21 (7) murder, as provided in Section 30-2-1 NMSA
22 1978;

23 (8) voluntary manslaughter, as provided in
24 Section 30-2-3 NMSA 1978;

25 (9) involuntary manslaughter, as provided in

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1 Section 30-2-3 NMSA 1978;

2 (10) kidnapping, as provided in Section 30-4-1
3 NMSA 1978;

4 (11) criminal sexual penetration, as provided
5 in Section 30-9-11 NMSA 1978;

6 (12) criminal sexual contact of a minor, as
7 provided in Section 30-9-13 NMSA 1978;

8 (13) armed robbery, as provided in Section
9 30-16-2 NMSA 1978;

10 (14) homicide by vehicle, as provided in
11 Section 66-8-101 NMSA 1978;

12 (15) great bodily injury by vehicle, as
13 provided in Section 66-8-101 NMSA 1978;

14 (16) abandonment or abuse of a child, as
15 provided in Section 30-6-1 NMSA 1978;

16 (17) stalking or aggravated stalking, as
17 provided in the Harassment and Stalking Act;

18 (18) aggravated assault against a household
19 member, as provided in Section 30-3-13 NMSA 1978;

20 (19) assault against a household member with
21 intent to commit a violent felony, as provided in Section
22 30-3-14 NMSA 1978;

23 (20) battery against a household member, as
24 provided in Section 30-3-15 NMSA 1978; [e†]

25 (21) aggravated battery against a household

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1 member, as provided in Section 30-3-16 NMSA 1978;

2 (22) human trafficking, as provided in Section
3 30-52-1 NMSA 1978; or

4 (23) sexual exploitation of children, as
5 provided in Section 30-6A-3 NMSA 1978;

6 C. "court proceeding" means a hearing, argument or
7 other action scheduled by and held before a court;

8 D. "family member" means a spouse, child, sibling,
9 parent or grandparent;

10 E. "formally charged" means the filing of an
11 indictment, the filing of a criminal information pursuant to a
12 bind-over order, the filing of a petition or the setting of a
13 preliminary hearing;

14 F. "victim" means an individual against whom a
15 criminal offense is committed. "Victim" also means a family
16 member or a victim's representative when the individual against
17 whom a criminal offense was committed is a minor, is
18 incompetent or is a homicide victim; and

19 G. "victim's representative" means an individual
20 designated by a victim or appointed by the court to act in the
21 best interests of the victim."

22 **SECTION 6.** Section 33-2-34 NMSA 1978 (being Laws 1999,
23 Chapter 238, Section 1, as amended) is amended to read:

24 "33-2-34. ELIGIBILITY FOR EARNED MERITORIOUS
25 DEDUCTIONS.--

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1 A. To earn meritorious deductions, a prisoner
2 confined in a correctional facility designated by the
3 corrections department must be an active participant in
4 programs recommended for the prisoner by the classification
5 supervisor and approved by the warden or the warden's
6 designee. Meritorious deductions shall not exceed the
7 following amounts:

8 (1) for a prisoner confined for committing a
9 serious violent offense, up to a maximum of four days per
10 month of time served;

11 (2) for a prisoner confined for committing a
12 nonviolent offense, up to a maximum of thirty days per month
13 of time served;

14 (3) for a prisoner confined following
15 revocation of parole for the alleged commission of a new
16 felony offense or for absconding from parole, up to a maximum
17 of four days per month of time served during the parole term
18 following revocation; and

19 (4) for a prisoner confined following
20 revocation of parole for a reason other than the alleged
21 commission of a new felony offense or absconding from parole:

22 (a) up to a maximum of eight days per
23 month of time served during the parole term following
24 revocation, if the prisoner was convicted of a serious violent
25 offense or failed to pass a drug test administered as a

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1 condition of parole; or

2 (b) up to a maximum of thirty days per
3 month of time served during the parole term following
4 revocation, if the prisoner was convicted of a nonviolent
5 offense.

6 B. A prisoner may earn meritorious deductions upon
7 recommendation by the classification supervisor, based upon
8 the prisoner's active participation in approved programs and
9 the quality of the prisoner's participation in those approved
10 programs. A prisoner may not earn meritorious deductions
11 unless the recommendation of the classification supervisor is
12 approved by the warden or the warden's designee.

13 C. If a prisoner's active participation in
14 approved programs is interrupted by a lockdown at a
15 correctional facility, the prisoner may continue to be awarded
16 meritorious deductions at the rate the prisoner was earning
17 meritorious deductions prior to the lockdown, unless the
18 warden or the warden's designee determines that the prisoner's
19 conduct contributed to the initiation or continuance of the
20 lockdown.

21 D. A prisoner confined in a correctional facility
22 designated by the corrections department is eligible for lump-
23 sum meritorious deductions as follows:

24 (1) for successfully completing an approved
25 vocational, substance abuse or mental health program, one

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1 month; except when the prisoner has a demonstrable physical,
2 mental health or developmental disability that prevents the
3 prisoner from successfully earning a high school equivalency
4 credential, in which case, the prisoner shall be awarded three
5 months;

6 (2) for earning a high school equivalency
7 credential, three months;

8 (3) for earning an associate's degree, four
9 months;

10 (4) for earning a bachelor's degree, five
11 months;

12 (5) for earning a graduate qualification,
13 five months; and

14 (6) for engaging in a heroic act of saving
15 life or property, engaging in extraordinary conduct for the
16 benefit of the state or the public that is at great expense or
17 risk to or involves great effort on the part of the prisoner
18 or engaging in extraordinary conduct far in excess of normal
19 program assignments that demonstrates the prisoner's
20 commitment to self-rehabilitation. The classification
21 supervisor and the warden or the warden's designee may
22 recommend the number of days to be awarded in each case based
23 upon the particular merits, but any award shall be determined
24 by the director of the adult institutions division of the
25 corrections department or the director's designee.

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1 E. Lump-sum meritorious deductions, provided in
2 Paragraphs (1) through (6) of Subsection D of this section,
3 may be awarded in addition to the meritorious deductions
4 provided in Subsections A and B of this section. Lump-sum
5 meritorious deductions shall not exceed one year per award and
6 shall not exceed a total of one year for all lump-sum
7 meritorious deductions awarded in any consecutive twelve-month
8 period.

9 F. A prisoner is not eligible to earn meritorious
10 deductions if the prisoner:

11 (1) disobeys an order to perform labor,
12 pursuant to Section 33-8-4 NMSA 1978;

13 (2) is in disciplinary segregation;

14 (3) is confined for committing a serious
15 violent offense and is within the first sixty days of receipt
16 by the corrections department; or

17 (4) is not an active participant in programs
18 recommended and approved for the prisoner by the
19 classification supervisor.

20 G. The provisions of this section shall not be
21 interpreted as providing eligibility to earn meritorious
22 deductions from a sentence of life imprisonment or a sentence
23 of life imprisonment without possibility of release or parole.

24 H. The corrections department shall promulgate
25 rules to implement the provisions of this section, and the

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1 rules shall be matters of public record. A concise summary of
2 the rules shall be provided to each prisoner, and each
3 prisoner shall receive a quarterly statement of the
4 meritorious deductions earned.

5 I. A New Mexico prisoner confined in a federal or
6 out-of-state correctional facility is eligible to earn
7 meritorious deductions for active participation in programs on
8 the basis of the prisoner's conduct and program reports
9 furnished by that facility to the corrections department. All
10 decisions regarding the award and forfeiture of meritorious
11 deductions at such facility are subject to final approval by
12 the director of the adult institutions division of the
13 corrections department or the director's designee.

14 J. In order to be eligible for meritorious
15 deductions, a prisoner confined in a federal or out-of-state
16 correctional facility designated by the corrections department
17 must actively participate in programs that are available. If
18 a federal or out-of-state correctional facility does not have
19 programs available for a prisoner, the prisoner may be awarded
20 meritorious deductions at the rate the prisoner could have
21 earned meritorious deductions if the prisoner had actively
22 participated in programs.

23 K. A prisoner confined in a correctional facility
24 in New Mexico that is operated by a private company, pursuant
25 to a contract with the corrections department, is eligible to

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1 earn meritorious deductions in the same manner as a prisoner
2 confined in a state-run correctional facility. All decisions
3 regarding the award or forfeiture of meritorious deductions at
4 such facilities are subject to final approval by the director
5 of the adult institutions division of the corrections
6 department or the director's designee.

7 L. As used in this section:

8 (1) "active participant" means a prisoner
9 who has begun, and is regularly engaged in, approved programs;

10 (2) "program" means work, vocational,
11 educational, substance abuse and mental health programs,
12 approved by the classification supervisor, that contribute to
13 a prisoner's self-betterment through the development of
14 personal and occupational skills. "Program" does not include
15 recreational activities;

16 (3) "nonviolent offense" means any offense
17 other than a serious violent offense; and

18 (4) "serious violent offense" means:

19 (a) second degree murder, as provided
20 in Section 30-2-1 NMSA 1978;

21 (b) voluntary manslaughter, as provided
22 in Section 30-2-3 NMSA 1978;

23 (c) third degree aggravated battery, as
24 provided in Section 30-3-5 NMSA 1978;

25 (d) third degree aggravated battery

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1 against a household member, as provided in Section 30-3-16
2 NMSA 1978;

3 (e) first degree kidnapping, as
4 provided in Section 30-4-1 NMSA 1978;

5 (f) first and second degree criminal
6 sexual penetration, as provided in Section 30-9-11 NMSA 1978;

7 (g) second and third degree criminal
8 sexual contact of a minor, as provided in Section 30-9-13 NMSA
9 1978;

10 (h) first and second degree robbery, as
11 provided in Section 30-16-2 NMSA 1978;

12 (i) second degree aggravated arson, as
13 provided in Section 30-17-6 NMSA 1978;

14 (j) shooting at a dwelling or occupied
15 building, as provided in Section 30-3-8 NMSA 1978;

16 (k) shooting at or from a motor
17 vehicle, as provided in Section 30-3-8 NMSA 1978;

18 (l) aggravated battery upon a peace
19 officer, as provided in Section 30-22-25 NMSA 1978;

20 (m) assault with intent to commit a
21 violent felony upon a peace officer, as provided in Section
22 30-22-23 NMSA 1978;

23 (n) aggravated assault upon a peace
24 officer, as provided in Section 30-22-22 NMSA 1978; or

25 (o) any of the following offenses, when

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1 the nature of the offense and the resulting harm are such that
2 the court judges the crime to be a serious violent offense for
3 the purpose of this section: 1) involuntary manslaughter, as
4 provided in Section 30-2-3 NMSA 1978; 2) fourth degree
5 aggravated assault, as provided in Section 30-3-2 NMSA 1978;
6 3) third degree assault with intent to commit a violent
7 felony, as provided in Section 30-3-3 NMSA 1978; 4) fourth
8 degree aggravated assault against a household member, as
9 provided in Section 30-3-13 NMSA 1978; 5) third degree assault
10 against a household member with intent to commit a violent
11 felony, as provided in Section 30-3-14 NMSA 1978; 6) third and
12 fourth degree aggravated stalking, as provided in Section
13 30-3A-3.1 NMSA 1978; 7) second degree kidnapping, as provided
14 in Section 30-4-1 NMSA 1978; 8) second degree abandonment of a
15 child, as provided in Section 30-6-1 NMSA 1978; 9) first,
16 second and third degree abuse of a child, as provided in
17 Section 30-6-1 NMSA 1978; 10) third degree dangerous use of
18 explosives, as provided in Section 30-7-5 NMSA 1978; 11) third
19 and fourth degree criminal sexual penetration, as provided in
20 Section 30-9-11 NMSA 1978; 12) fourth degree criminal sexual
21 contact of a minor, as provided in Section 30-9-13 NMSA 1978;
22 13) third degree robbery, as provided in Section 30-16-2 NMSA
23 1978; 14) third degree homicide by vehicle or great bodily
24 harm by vehicle, as provided in Section 66-8-101 NMSA 1978;
25 [~~or~~] 15) battery upon a peace officer, as provided in Section

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1 30-22-24 NMSA 1978; or 16) human trafficking, as provided in
2 Section 30-52-1 NMSA 1978.

3 M. Except for sex offenders, as provided in
4 Section 31-21-10.1 NMSA 1978, an offender sentenced to
5 confinement in a correctional facility designated by the
6 corrections department who has been released from confinement
7 and who is serving a parole term may be awarded earned
8 meritorious deductions of up to thirty days per month upon
9 recommendation of the parole officer supervising the offender,
10 with the final approval of the adult parole board. The
11 offender must be in compliance with all the conditions of the
12 offender's parole to be eligible for earned meritorious
13 deductions. The adult parole board may remove earned
14 meritorious deductions previously awarded if the offender
15 later fails to comply with the conditions of the offender's
16 parole. The corrections department and the adult parole board
17 shall promulgate rules to implement the provisions of this
18 subsection. This subsection applies to offenders who are
19 serving a parole term on or after July 1, 2004."