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SENATE BILL 329

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

INTRODUCED BY

Nicholas A. Paul

AN ACT

RELATING TO CRIME; CREATING THE CRIME OF SOLICITATION OR
RECRUITMENT OF A CHILD INTO A CRIMINAL STREET GANG; PROVIDING
PENALTIES.

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

SECTION 1. A new section of Chapter 30, Article 6 NMSA
1978 is enacted to read:

"[NEW MATERIAL] CRIMINAL STREET GANG--SOLICITATION OR
RECRUITMENT OF A CHILD.--

A. Solicitation or recruitment of a child into a
criminal street gang consists of any person who:

(1) solicits or recruits a child to actively
participate in a criminal street gang with the intent that the
child who was solicited or recruited promote, further, assist
or participate in the commission of one or more of the criminal

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1 offenses described in the Criminal Code; or

2 (2) threatens any person with physical
3 violence with the intent to coerce or induce a child to
4 actively participate in a criminal street gang.

5 B. Any person who solicits or recruits a child into
6 a criminal street gang:

7 (1) if the child is from thirteen to eighteen
8 years of age, is guilty of a fourth degree felony; and

9 (2) if the child is under thirteen years of
10 age, is guilty of a third degree felony.

11 C. As used in this section:

12 (1) "child" means a person who is under
13 eighteen years of age; and

14 (2) "criminal street gang" means an ongoing
15 group, club, organization or association of three or more
16 persons that has as one of its primary purposes the commission
17 of one or more of the criminal offenses described in the
18 Criminal Code."