AN ACT

RELATING TO CRIMINAL LAW; INCREASING THE CRIMINAL PENALTY FOR IMPERSONATING A PEACE OFFICER; AMENDING AND REPEALING SECTIONS OF THE CRIMINAL CODE.

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

Section 1. A new section of the Criminal Code is enacted to read:

"IMPERSONATING A PEACE OFFICER.--

A. Impersonating a peace officer consists of:

(1) without due authority exercising or attempting to exercise the functions of a peace officer; or

(2) pretending to be a peace officer with the intent to deceive another person.

B. Whoever commits impersonating a peace officer is guilty of a misdemeanor. Upon a second or subsequent conviction, the offender is guilty of a fourth degree felony.

C. As used in this section, "peace officer" means any public official or public officer vested by law with a duty to maintain public order or to make arrests for crime, whether that duty extends to all crimes or is limited to specific crimes."

Section 2. REPEAL.--Section 30-27-2 NMSA 1978 (being Laws 1963, Chapter 303, Section 27-2) is repealed.

Section 3. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 1999.