

1 HOUSE BILL 341

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

4 William "Bill" R. Rehm and Reena Szczepanski and Gail Armstrong
5 and Elizabeth "Liz" Thomson and Bill Tallman
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10 AN ACT

11 RELATING TO CRIMINAL PROCEDURE; REQUIRING COURTS TO ORDER DRUG,
12 ALCOHOL OR MENTAL HEALTH TREATMENT IN CERTAIN CIRCUMSTANCES.
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14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

15 SECTION 1. A new section of Chapter 31 NMSA 1978 is
16 enacted to read:

17 "[NEW MATERIAL] EVALUATION AND TREATMENT FOR SUBSTANCE
18 ABUSE OR MENTAL HEALTH.--

19 A. Whenever, during the pendency of a criminal case
20 or after a conviction, it appears that the defendant may
21 require drug, alcohol or mental health treatment, the court
22 shall refer the defendant for an evaluation. If the evaluation
23 recommends that the defendant receive or finds that the
24 defendant requires drug, alcohol or mental health treatment,
25 the court shall order that the defendant participate in that

.223829.2

underscored material = new
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underscored material = new
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1 treatment for the pendency of the case or any period of
2 probation.

3 B. As used in this section, "court" includes the
4 district court, children's court, family court, drug court,
5 magistrate court and metropolitan court."

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