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SENATE BILL 142

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY

Craig W. Brandt

AN ACT

RELATING TO CRIME; MAKING A THREAT OF A SHOOTING UNLAWFUL.

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

SECTION 1. Section 30-20-16 NMSA 1978 (being Laws 1975, Chapter 285, Section 1, as amended) is amended to read:

"30-20-16. BOMB SCARES AND SHOOTING THREATS UNLAWFUL.--

A. Making a bomb scare consists of falsely and maliciously stating to another person that a bomb or other explosive has been placed in such a position that property or persons are likely to be injured or destroyed.

B. Making a shooting threat consists of falsely and maliciously stating to another person that the person making the threat or another person intends to bring a firearm to a property or use the firearm with the intent to:

(1) place a person or group of persons in fear

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1 of great bodily harm;

2 (2) prevent or interrupt the occupation or use
3 of a public building; or

4 (3) cause a response to the threat by an
5 official or volunteer agency organized to deal with
6 emergencies.

7 ~~[B.]~~ C. Whoever commits making a bomb scare or
8 shooting threat is guilty of a fourth degree felony.

9 ~~[C.]~~ D. A court may order a person convicted for
10 the offense of making a bomb scare or shooting threat to
11 reimburse the victim of the offense for economic harm caused by
12 that offense.

13 ~~[D.]~~ E. As used in this section, "economic harm"
14 means all direct, incidental and consequential financial harm
15 suffered by a victim of the offense of making a bomb scare or
16 shooting threat. "Economic harm" includes:

17 (1) wages, salaries or other compensation lost
18 as a result of the commission of the offense of making
19 a bomb scare or shooting threat;

20 (2) the cost of all wages, salaries or other
21 compensation paid to employees for time that those employees
22 are prevented from working as a result of the commission of the
23 offense of making a bomb scare or shooting threat; and

24 (3) overhead costs incurred for the period of
25 time that a business is shut down as a result of the commission

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of the offense of making a bomb scare or shooting threat.

~~[E.]~~ F. This section shall not be construed to limit a court's authority to order restitution to a victim of the offense of making a bomb scare or shooting threat pursuant to other provisions of law."