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SENATE BILL 21

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

INTRODUCED BY

Steven P. Neville

AN ACT

RELATING TO CRIMINAL LAW; INCREASING PENALTIES FOR LARCENY OF TELECOMMUNICATION OR UTILITY CABLE OR HARDWARE, OR OF COMPONENTS ASSOCIATED WITH A RAILROAD SIGNAL SYSTEM, THAT DIRECTLY RESULTS IN A TELECOMMUNICATION, UTILITY OR RAILROAD SIGNAL SYSTEM OUTAGE.

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

SECTION 1. Section 30-16-1 NMSA 1978 (being Laws 1963, Chapter 303, Section 16-1, as amended) is amended to read:

"30-16-1. LARCENY.--

A. Larceny consists of the stealing of anything of value that belongs to another.

B. Whoever commits larceny when the value of the property stolen is two hundred fifty dollars (\$250) or less is guilty of a petty misdemeanor.

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1 C. Whoever commits larceny when the value of the
2 property stolen is over two hundred fifty dollars (\$250) but
3 not more than five hundred dollars (\$500) is guilty of a
4 misdemeanor.

5 D. Whoever commits larceny when the value of the
6 property stolen is over five hundred dollars (\$500) but not
7 more than two thousand five hundred dollars (\$2,500) is guilty
8 of a fourth degree felony.

9 E. Whoever commits larceny when the value of the
10 property stolen is over two thousand five hundred dollars
11 (\$2,500) but not more than twenty thousand dollars (\$20,000) is
12 guilty of a third degree felony.

13 F. Whoever commits larceny when the value of the
14 property stolen is over twenty thousand dollars (\$20,000) is
15 guilty of a second degree felony.

16 G. Whoever commits larceny when the property of
17 value stolen is livestock is guilty of a third degree felony
18 regardless of its value.

19 H. Whoever commits larceny when the property of
20 value stolen is a firearm is guilty of a fourth degree felony
21 when its value is less than two thousand five hundred dollars
22 (\$2,500).

23 I. Whoever commits larceny of telecommunication or
24 utility cable or hardware, or of components associated with a
25 railroad signal system, that directly results in an outage is

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1 guilty of a third degree felony regardless of its value;
2 provided that if the costs reasonably required to restore the
3 telecommunication or utility service or railroad signal system
4 are over twenty thousand dollars (\$20,000), the person is
5 guilty of a second degree felony.

6 J. As used in this section, "outage" means the
7 temporary suspension of telecommunication or utility service or
8 of a railroad signal system."

9 SECTION 2. EFFECTIVE DATE.--The effective date of the
10 provisions of this act is July 1, 2014.