

1 SENATE BILL 28

2 **51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

3 INTRODUCED BY

4 Steven P. Neville

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9  
10 AN ACT

11 RELATING TO CRIMINAL LAW; INCREASING PENALTIES FOR LARCENY OF  
12 CABLE OR HARDWARE THAT DIRECTLY RESULTS IN A TELECOMMUNICATION  
13 OR UTILITY OUTAGE.

14  
15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

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

18 "30-16-1. LARCENY.--

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

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

24 C. Whoever commits larceny when the value of the  
25 property stolen is over two hundred fifty dollars (\$250) but

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1 not more than five hundred dollars (\$500) is guilty of a  
2 misdemeanor.

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

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

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

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

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

21 I. Whoever commits larceny of telecommunication or  
22 utility cable or hardware that directly results in an outage is  
23 guilty of a third degree felony; provided that if the costs  
24 reasonably required to restore the telecommunication or utility  
25 service are over twenty thousand dollars (\$20,000), the person

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1 is guilty of a second degree felony.

2 J. As used in this section, "outage" means the  
3 temporary suspension of telecommunication or utility service."

4 SECTION 2. EFFECTIVE DATE.--The effective date of the  
5 provisions of this act is July 1, 2013.

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