

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 96

56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024

INTRODUCED BY

Stefani Lord and Harlan Vincent

AN ACT

RELATING TO INTERFERENCE WITH LAW ENFORCEMENT; INCREASING THE PENALTY FOR RESISTING, EVADING OR OBSTRUCTING AN OFFICER TO A FOURTH DEGREE FELONY.

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

SECTION 1. Section 30-22-1 NMSA 1978 (being Laws 1963, Chapter 303, Section 22-1, as amended) is amended to read:

"30-22-1. RESISTING, EVADING OR OBSTRUCTING AN OFFICER.--

A. Resisting, evading or obstructing an officer consists of:

~~[A.]~~ (1) knowingly obstructing, resisting or opposing any officer of this state or any other duly authorized person serving or attempting to serve or execute any process or any rule or order of any of the courts of this state or any other judicial writ or process;

.226559.1

underscored material = new
~~[bracketed material] = delete~~

underscored material = new
[bracketed material] = delete

1 [B.] (2) intentionally fleeing, attempting to
2 evade or evading an officer of this state when the person
3 committing the act of fleeing, attempting to evade or evasion
4 has knowledge that the officer is attempting to apprehend or
5 arrest [~~him~~] the person;

6 [C.] (3) willfully refusing to bring a vehicle
7 to a stop when given a visual or audible signal to stop,
8 whether by hand, voice, emergency light, flashing light, siren
9 or other signal, by a uniformed officer in an appropriately
10 marked police vehicle; or

11 [D.] (4) resisting or abusing any judge,
12 magistrate or peace officer in the lawful discharge of [~~his~~]
13 the judge's, magistrate's or peace officer's duties.

14 B. Whoever commits resisting, evading or
15 obstructing an officer is guilty of a [~~misdemeanor~~] fourth
16 degree felony."