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HOUSE BILL 57

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

INTRODUCED BY

Debbie A. Rodella

AN ACT

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

C. Whoever commits larceny when the value of the  
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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