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AN ACT

RELATING TO CRIMINAL JUSTICE; EXTENDING TIME LIMITS FOR
PROSECUTING CERTAIN OFFENSES AGAINST CHILDREN; MAKING
TECHNICAL AND CONFORMING CHANGES.

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

SECTION 1. Section 30-1-8 NMSA 1978 (being Laws 1963,
Chapter 303, Section 1-8, as amended) is amended to read:

"30-1-8. TIME LIMITATIONS FOR COMMENCING PROSECUTION.--

A person shall not be prosecuted, tried or punished in any
court of this state unless the indictment is found or
information or complaint is filed within the time as
provided:

A. for a second degree felony, within six years
from the time the crime was committed;

B. for a third or fourth degree felony, within
five years from the time the crime was committed;

C. for a misdemeanor, within two years from the
time the crime was committed;

D. for a petty misdemeanor, within one year from
the time the crime was committed;

E. for any crime against or violation of Section
51-1-38 NMSA 1978, within three years from the time the crime
was committed;

F. for a felony pursuant to Section 7-1-71.3,

1 7-1-72 or 7-1-73 NMSA 1978, within five years from the time
2 the crime was committed; provided that for a series of crimes
3 involving multiple filing periods within one calendar year,
4 the limitation shall begin to run on December 31 of the year
5 in which the crimes occurred;

6 G. for an identity theft crime pursuant to Section
7 30-16-24.1 NMSA 1978, within five years from the time the
8 crime was discovered;

9 H. for any crime not contained in the Criminal
10 Code or where a limitation is not otherwise provided for,
11 within three years from the time the crime was committed;

12 I. for a capital felony or a first degree violent
13 felony, no limitation period shall exist and prosecution for
14 these crimes may commence at any time after the occurrence of
15 the crime; and

16 J. for a crime against a child in violation of
17 Section 30-9-11 NMSA 1978, prosecution for these crimes may
18 commence at any time after the occurrence of the crime and
19 until the alleged victim reaches the age of thirty years;
20 provided that this subsection shall not apply to violent
21 first degree felonies or to Paragraph (1) of Subsection G of
22 Section 30-9-11 NMSA 1978."

23 SECTION 2. Section 30-1-9.1 NMSA 1978 (being Laws 1987,
24 Chapter 117, Section 1) is amended to read:

25 "30-1-9.1. OFFENSES AGAINST CHILDREN--TOLLING OF

1 STATUTE OF LIMITATIONS.--The applicable time period for
2 commencing prosecution pursuant to Section 30-1-8 NMSA 1978
3 shall not commence to run for an alleged violation of Section
4 30-6-1 NMSA 1978 until the victim attains the age of eighteen
5 or the violation is reported to a law enforcement agency,
6 whichever occurs first."

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