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HOUSE BILL 69

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

INTRODUCED BY

Mark Duncan

AN ACT

RELATING TO CRIME; CREATING THE CRIME OF ORGANIZED RESIDENTIAL THEFT; PRESCRIBING PENALTIES.

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

SECTION 1. A new section of the Criminal Code is enacted to read:

"[NEW MATERIAL] ORGANIZED RESIDENTIAL THEFT.--

A. Organized residential theft consists of acting in concert with one or more persons for the purpose of stealing personal property from more than one residence or from a single residence on two or more occasions.

B. Whoever commits organized residential theft is guilty of:

(1) a fourth degree felony when the total retail value of the personal property stolen within a three-

1 hundred-sixty-five-day period is more than five hundred dollars
2 (\$500) but not more than two thousand five hundred dollars
3 (\$2,500);

4 (2) a third degree felony when the total
5 retail value of the personal property stolen within a three-
6 hundred-sixty-five-day period is more than two thousand five
7 hundred dollars (\$2,500) but not more than twenty thousand
8 dollars (\$20,000); and

9 (3) a second degree felony when the total
10 retail value of the personal property stolen within a three-
11 hundred-sixty-five-day period is more than twenty thousand
12 dollars (\$20,000).

13 C. A person charged with committing organized
14 residential theft shall not be charged with a separate or
15 additional offense arising from the same action or occurrence.

16 D. As used in this section:

17 (1) "personal property" means chattels of any
18 type or description, including letters, packages or parcels
19 distributed by mail or other methods of delivery; and

20 (2) "residence" includes a dwelling, the
21 curtilage of a dwelling and shared spaces in a multifamily
22 dwelling."