

31-26-3. Definitions.

As used in the Victims of Crime Act:

A. "court" means magistrate court, metropolitan court, children's court, district court, the court of appeals or the supreme court;

B. "criminal offense" means:

(1) negligent arson resulting in death or bodily injury, as provided in Subsection B of [Section 30-17-5](#) NMSA 1978;

(2) aggravated arson, as provided in [Section 30-17-6](#) NMSA 1978;

(3) aggravated assault, as provided in [Section 30-3-2](#) NMSA 1978;

(4) aggravated battery, as provided in [Section 30-3-5](#) NMSA 1978;

(5) dangerous use of explosives, as provided in [Section 30-7-5](#) NMSA 1978;

(6) negligent use of a deadly weapon, as provided in [Section 30-7-4](#) NMSA 1978;

(7) murder, as provided in [Section 30-2-1](#) NMSA 1978;

(8) voluntary manslaughter, as provided in [Section 30-2-3](#) NMSA 1978;

(9) involuntary manslaughter, as provided in [Section 30-2-3](#) NMSA 1978;

(10) kidnapping, as provided in [Section 30-4-1](#) NMSA 1978;

(11) criminal sexual penetration, as provided in [Section 30-9-11](#) NMSA 1978;

(12) criminal sexual contact of a minor, as provided in [Section 30-9-13](#) NMSA 1978;

(13) armed robbery, as provided in [Section 30-16-2](#) NMSA 1978;

(14) homicide by vehicle, as provided in [Section 66-8-101](#) NMSA 1978;

(15) great bodily injury by vehicle, as provided in [Section 66-8-101](#) NMSA 1978;

(16) abandonment or abuse of a child, as provided in [Section 30-6-1](#) NMSA 1978;

(17) stalking or aggravated stalking, as provided in the Harassment and Stalking Act [[30-3A-1](#) NMSA 1978];

(18) aggravated assault against a household member, as provided in [Section 30-3-13](#) NMSA 1978;

(19) assault against a household member with intent to commit a violent felony, as provided in [Section 30-3-14](#) NMSA 1978;

(20) battery against a household member, as provided in [Section 30-3-15](#) NMSA 1978;
or

(21) aggravated battery against a household member, as provided in [Section 30-3-16](#) NMSA 1978;

C. "court proceeding" means a hearing, argument or other action scheduled by and held before a court;

D. "family member" means a spouse, child, sibling, parent or grandparent;

E. "formally charged" means the filing of an indictment, the filing of a criminal information pursuant to a bind-over order, the filing of a petition or the setting of a preliminary hearing;

F. "victim" means an individual against whom a criminal offense is committed. "Victim" also means a family member or a victim's representative when the individual against whom a criminal offense was committed is a minor, is incompetent or is a homicide victim; and

G. "victim's representative" means an individual designated by a victim or appointed by the court to act in the best interests of the victim.

History: Laws 1994, ch. 144, § 3; 1997, ch. 10, § 6; 2003, ch. 411, § 1.