

31-22-3. Definitions.

As used in the Crime Victims Reparation Act:

A. "child" means an unmarried person who is under the age of majority and includes a stepchild and an adopted child;

B. "collateral source" includes benefits for economic loss otherwise reparable under the Crime Victims Reparation Act which the victim or claimant has received or which are readily available to him from:

(1) the offender;

(2) social security, medicare and medicaid;

(3) workers' compensation;

(4) proceeds of a contract of insurance payable to the victim;

(5) a contract providing prepaid hospital and other health care services or benefits for disability, except for the benefits of any life insurance policy;

(6) applicable indigent funds; or

(7) cash donations;

C. "commission" means the crime victims reparation commission;

D. "dependents" means those relatives of the deceased or disabled victim who are more than fifty percent dependent upon the victim's income at the time of his death or disability and includes the child of a victim born after his death or disability;

E. "family relationship group" means any person related to another person within the fourth degree of consanguinity or affinity;

F. "injury" means actual bodily harm or disfigurement and includes pregnancy and extreme mental distress. For the purposes of this subsection, "extreme mental distress" means a substantial personal disorder of emotional processes, thought or cognition that impairs judgment, behavior or ability to cope with the ordinary demands of life;

G. "permanent total disability" means loss of both legs or arms, loss of one leg and one arm, total loss of eyesight, paralysis or other physical condition permanently incapacitating the worker from performing any work at any gainful occupation;

H. "relative" means a person's spouse, parent, grandparent, stepfather, stepmother, child, grandchild, brother, sister, half-brother, half-sister or spouse's parents; and

I. "victim" means:

(1) a person in New Mexico who is injured or killed by any act or omission of any other person that is a crime enumerated in Section [31-22-8 NMSA 1978](#);

(2) a resident of New Mexico who is injured or killed by such a crime occurring in a state other than New Mexico if that state does not have an eligible crime victims compensation program; or

(3) a resident of New Mexico who is injured or killed by an act of international terrorism, as provided in 18 U.S.C. Section 2331.

History: Laws 1981, ch. 325, § 3; 1985 (1st S.S.), ch. 5, § 1; 1989, ch. 246, § 1; 1990, ch. 10, § 1; [1993, ch. 207, § 2](#); [1997, ch. 268, § 1](#); [2001, ch. 214, § 1](#).

ANNOTATIONS

The 2001 amendment, effective June 15, 2001, deleted former Paragraph B(4), which read "any program of any employer for continuation of wages in the event of the illness or injury of an employee" and renumbered the remaining paragraphs accordingly; added Subsection G and renumbered the remaining subsections accordingly; and in Subsection H, deleted "minor" preceding "brother", "sister", "half-brother", and "half-sister".

The 1997 amendment, effective July 1, 1997, added Paragraph H(3) and made a stylistic change.

The 1993 amendment, effective June 18, 1993, added Paragraphs (7) and (8) to Subsection B, making related grammatical changes.

The 1990 amendment, effective May 16, 1990, in Subsection H, inserted the paragraph designation "(1)", substituted "person that" for "person which", added "or" at the end, and added Paragraph (2).

The 1989 amendment, effective June 16, 1989, made a minor stylistic change in Subsection B(3), substituted the present language of Subsection B(4) for "wage continuation programs of any employer", and added all of the language of Subsection B(6) following "disability".