

UNION COUNTY

STATE OF NEW MEXICO

ORDINANCE NO. 6

AN ORDINANCE

PROHIBITING IMPERSONATION OF AND ATTEMPTING TO EXERCISE THE FUNCTIONS OF PUBLIC OFFICIALS

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF UNION COUNTY, NEW MEXICO:

Section 1. DEFINITIONS. - - As used in this ordinance:

A. "public official" means any person employed by city, county, state or federal governments, who is in any decision-making capacity whatsoever.

B. "decision-making capacity" means the duty and/or ability of a person to exercise judgment or discretion in the exercise of his duties as a public official.

C. "exercise the functions of a public official" means to attempt to or to actually influence the actions of another person by claiming to be a public official or by claiming to be acting for such public official or by claiming to be conveying a message from such public official, or by otherwise directly or indirectly suggesting or

claiming such public official has given a particular order, made a particular statement, set out a particular policy, or the like. However, this definition shall not include the publication of news in bona fide news media.

Section 2. OFFENSES. - - No person shall:

A. Impersonate any public official.

B. Attempt to exercise or exercise the functions of a public official except insofar as he is employed by a governmental entity to do so.

Section 3. PENALTIES. - - Any person found violating any provision of Section 2 of this ordinance shall upon conviction be punished by a fine of not less than \$100.00 nor more than three hundred dollars (\$300.00) and imprisonment in the county jail for not less than thirty (30) days nor more than ninety (90) days.

Section 4. EMERGENCY. - - The Board of County Commissioners finds that an emergency exists whereby there is an immediate danger to the public safety and welfare of the county, whence the usual publication of this ordinance prior to submission to the Board for final passage shall be dispensed with.

BOARD OF COUNTY COMMISSIONERS

John M. Gard
Chairman

Harold V. Davis
Member

M. J. Biffle
Member

(SEAL)

ATTEST:

Anna Wetzel
County Clerk

Passed 10-5-81
(Date)

Vote:

Unanimous ✓

Majority _____