

14-1648. Insurance; false statement or representation; essential elements.

For you to find the defendant guilty of making a false statement or representation relative to an insurance policy [as charged in Count _____]¹, the state must prove to your satisfaction beyond a reasonable doubt each of the following elements of the crime:

1. The defendant made a false or fraudulent statement or representation [on an application for an insurance policy] [or] [relative to an application for an insurance policy];
2. The statement or representation was made for the purpose of obtaining any fee, commission or benefit from an insurer, agent, broker or individual;
3. The defendant [knew the statement to be untrue]² [or] [acted with reckless disregard of the truth];
4. This happened in New Mexico on or about the _____ day of _____, _____.

USE NOTES

1. Insert the count number if more than one count is charged.
 2. Use only applicable alternative or alternatives.
- [Approved, effective January 20, 2005.]