

1 SENATE BILL 56

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

3 INTRODUCED BY

4 Steven P. Neville

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10 AN ACT

11 RELATING TO CONCEALED FIREARMS; PROVIDING THAT A PERSON WHO IS
12 NOT PROHIBITED BY STATE OR FEDERAL LAW OR A COURT ORDER FROM
13 POSSESSING OR CARRYING A FIREARM MAY CARRY A LOADED CONCEALED
14 HANDGUN; PROVIDING A PENALTY.

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

17 SECTION 1. Section 30-7-2 NMSA 1978 (being Laws 1963,
18 Chapter 303, Section 7-2, as amended) is amended to read:

19 "30-7-2. UNLAWFUL CARRYING OF A DEADLY WEAPON.--

20 A. Unlawful carrying of a deadly weapon consists of
21 carrying a [~~concealed loaded firearm or any other type of~~]
22 deadly weapon anywhere, except in the following cases:

23 (1) in the person's residence or on real
24 property belonging to [~~him~~] the person as owner, lessee, tenant
25 or licensee;

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underscored material = new
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1 (2) in a private automobile or other private
2 means of conveyance, for lawful protection of the person's or
3 another's person or property;

4 (3) by a peace officer in accordance with the
5 policies of [~~his~~] the peace officer's law enforcement agency
6 who is certified pursuant to the Law Enforcement Training Act;

7 (4) by a peace officer in accordance with the
8 policies of [~~his~~] the peace officer's law enforcement agency
9 who is employed on a temporary basis by that agency and who has
10 successfully completed a course of firearms instruction
11 prescribed by the New Mexico law enforcement academy or
12 provided by a certified firearms instructor who is employed on
13 a permanent basis by a law enforcement agency; [~~or~~]

14 (5) by a person in possession of a valid
15 concealed handgun license issued to [~~him~~] the person by the
16 department of public safety pursuant to the provisions of the
17 Concealed Handgun Carry Act; or

18 (6) a person who is eighteen years of age or
19 older and who is not prohibited by federal or state law or
20 court order from possessing or carrying a firearm may carry a
21 loaded concealed handgun without the issuance of a concealed
22 handgun license issued pursuant to the Concealed Handgun Carry
23 Act; provided that the limitations on the carrying of a
24 concealed handgun specified in the Concealed Handgun Carry Act
25 shall apply to the person as if the person had been issued a

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underscoring material = new
~~[bracketed material] = delete~~

1 license pursuant to that act. For the purposes of this
2 paragraph, "handgun" means a firearm that will, is designed to
3 or may readily be converted to expel a projectile by the action
4 of an explosion and the barrel length of which, not including a
5 revolving, detachable or magazine breech, does not exceed
6 twelve inches.

7 B. Notwithstanding the provisions of Subsection A
8 of this section, nothing in this section shall be construed to
9 prevent the carrying of any unloaded firearm.

10 C. Whoever commits unlawful carrying of a deadly
11 weapon is guilty of a petty misdemeanor."