

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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9  
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  
[bracketed material] = delete

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[bracketed material] = delete

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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~~[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."