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SENATE BILL 507

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

INTRODUCED BY

Joseph Cervantes

AN ACT

RELATING TO FIREARMS; AMENDING AND ENACTING SECTIONS OF THE
CONCEALED HANDGUN CARRY ACT; PROVIDING TERMS AND CONDITIONS FOR
A CONCEALED HANDGUN CARRY LICENSE; PROVIDING A PROCESS FOR
LICENSE RENEWAL AND TRANSFER OF A LICENSE FROM ANOTHER STATE;
ENHANCING A PENALTY.

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

SECTION 1. Section 29-19-2 NMSA 1978 (being Laws 2003,
Chapter 255, Section 2) is amended to read:

"29-19-2. DEFINITIONS.--As used in the Concealed Handgun
Carry Act:

A. "applicant" means a person seeking a license to
carry a concealed handgun;

~~[B. "caliber" means the diameter of the bore of a
handgun;~~

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1 C. ~~"category" means whether a handgun is~~
2 ~~semiautomatic or not semiautomatic;~~

3 ~~D.]~~ B. "concealed handgun" means a loaded handgun
4 that is not visible to the ordinary observations of a
5 reasonable person;

6 ~~[E.]~~ C. "department" means the department of public
7 safety;

8 ~~[F.]~~ D. "handgun" means a firearm that will, is
9 designed to or may readily be converted to expel a projectile
10 by the action of an explosion and the barrel length of which,
11 not including a revolving, detachable or magazine breech, does
12 not exceed twelve inches; and

13 ~~[G.]~~ E. "licensee" means a person holding a valid
14 concealed handgun license issued to ~~[him]~~ the person by the
15 department."

16 SECTION 2. Section 29-19-4 NMSA 1978 (being Laws 2003,
17 Chapter 255, Section 4, as amended) is amended to read:

18 "29-19-4. APPLICANT QUALIFICATIONS.--

19 A. The department shall issue a concealed handgun
20 license to an applicant who:

21 (1) is a citizen or lawful permanent resident
22 of the United States;

23 (2) is a resident of New Mexico or is a member
24 of the armed forces whose permanent duty station is located in
25 New Mexico or is a dependent of such a member;

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1 (3) is ~~[twenty-one]~~ nineteen years of age or
2 older;

3 (4) is not a fugitive from justice;

4 (5) has not been convicted of a felony in New
5 Mexico or any other state or pursuant to the laws of the United
6 States or any other jurisdiction;

7 (6) is not currently under indictment for a
8 felony criminal offense in New Mexico or any other state or
9 pursuant to the laws of the United States or any other
10 jurisdiction;

11 (7) is not otherwise prohibited by federal law
12 or the law of any other jurisdiction from purchasing or
13 possessing a firearm;

14 (8) has not been adjudicated mentally
15 incompetent or committed to a mental institution;

16 (9) is not addicted to alcohol or controlled
17 substances; and

18 (10) has satisfactorily completed a firearms
19 training course approved by the department ~~[for the category~~
20 ~~and the largest caliber of handgun that the applicant wants to~~
21 ~~be licensed to carry as a concealed handgun]~~.

22 B. The department shall deny a concealed handgun
23 license to an applicant who has:

24 (1) received a conditional discharge, a
25 diversion or a deferment or has been convicted of, pled guilty

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1 to or entered a plea of nolo contendere to a misdemeanor
2 offense involving a crime of violence within ten years
3 immediately preceding the application;

4 (2) been convicted of a misdemeanor offense
5 involving driving while under the influence of intoxicating
6 liquor or drugs within five years immediately preceding the
7 application for a concealed handgun license;

8 (3) been convicted of a misdemeanor offense
9 involving the possession or abuse of a controlled substance
10 within ten years immediately preceding the application; or

11 (4) been convicted of a misdemeanor offense
12 involving assault, battery or battery against a household
13 member.

14 C. Firearms training course instructors who are
15 approved by the department shall not be required to complete a
16 firearms training course pursuant to Paragraph (10) of
17 Subsection A of this section."

18 SECTION 3. Section 29-19-6 NMSA 1978 (being Laws 2003,
19 Chapter 255, Section 6, as amended) is amended to read:

20 "29-19-6. [~~APPEAL~~] LICENSE [~~RENEWAL--REFRESHER FIREARMS~~
21 ~~TRAINING COURSE~~]--ISSUANCE--LOST OR STOLEN LICENSE--SUSPENSION
22 OR REVOCATION OF LICENSE.--

23 A. Pursuant to rules adopted by the department, the
24 department, within thirty days after receiving a completed
25 application for a concealed handgun license and the results of

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1 a national criminal background check on the applicant, shall:

2 (1) issue a concealed handgun license to an
3 applicant; or

4 (2) deny the application on the grounds that
5 the applicant failed to qualify for a concealed handgun license
6 pursuant to the provisions of the Concealed Handgun Carry Act.

7 B. Information relating to an applicant or to a
8 licensee received by the department or any other law
9 enforcement agency is confidential and exempt from public
10 disclosure unless an order to disclose information is issued by
11 a court of competent jurisdiction. The information shall be
12 made available by the department to a state or local law
13 enforcement agency upon request by the agency.

14 C. A concealed handgun license issued by the
15 department shall include:

16 (1) a color photograph of the licensee;

17 (2) the licensee's name, address and date
18 of birth;

19 (3) the expiration date of the concealed
20 handgun license; and

21 (4) the category and the largest caliber of
22 handgun that the licensee is licensed to carry, with a
23 statement that the licensee is licensed to carry smaller
24 caliber handguns but shall carry only one concealed handgun at
25 any given time.

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1 D. A licensee shall notify the department within
2 thirty days regarding a change of the licensee's name or
3 permanent address. A licensee shall notify the department
4 within ten days if the licensee's concealed handgun license is
5 lost, stolen or destroyed.

6 E. If a concealed handgun license is lost, stolen
7 or destroyed, the license is invalid and the licensee may
8 obtain a duplicate license by furnishing the department a
9 notarized statement that the original license was lost, stolen
10 or destroyed and paying a reasonable fee. If the license is
11 lost or stolen, the licensee shall file a police report with a
12 local law enforcement agency and include the police case number
13 in the notarized statement.

14 ~~[F. A licensee may renew a concealed handgun~~
15 ~~license by submitting to the department:~~

16 ~~(1) a completed renewal form, under penalty of~~
17 ~~perjury, designed and provided by the department;~~

18 ~~(2) a payment of a seventy-five-dollar~~
19 ~~(\$75.00) renewal fee; and~~

20 ~~(3) a certificate of completion of a four-hour~~
21 ~~refresher firearms training course approved by the department.~~

22 G.] F. The department shall conduct a national
23 criminal records check of a licensee seeking to renew a
24 license. A concealed handgun license shall not be renewed more
25 than sixty days after it has expired. A licensee who fails to

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1 renew a concealed handgun license within sixty days after it
2 has expired may apply for a new concealed handgun license
3 pursuant to the provisions of the Concealed Handgun Carry Act.

4 ~~[H. A licensee shall complete a two-hour refresher~~
5 ~~firearms training course two years after the issuance of an~~
6 ~~original or renewed license. The refresher course shall be~~
7 ~~approved by the department and shall be taken twenty-two to~~
8 ~~twenty-six months after the issuance of an original or renewed~~
9 ~~license. A certificate of completion shall be submitted to the~~
10 ~~department no later than thirty days after completion of the~~
11 ~~course.~~

12 ~~F.]~~ G. The department shall suspend or revoke a
13 concealed handgun license if:

14 (1) the licensee provided the department with
15 false information on the application form or renewal form for a
16 concealed handgun license;

17 (2) the licensee did not satisfy the criteria
18 for issuance of a concealed handgun license at the time the
19 license was issued; or

20 (3) subsequent to receiving a concealed
21 handgun license, the licensee violated a provision of the
22 Concealed Handgun Carry Act."

23 SECTION 4. Section 29-19-7 NMSA 1978 (being Laws 2003,
24 Chapter 255, Section 7) is amended to read:

25 "29-19-7. DEMONSTRATION OF ABILITY AND KNOWLEDGE--COURSE

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1 REQUIREMENT--PROPRIETARY INTEREST--EXEMPTIONS.--

2 A. The department shall prepare and publish minimum
3 standards for approved firearms training courses that teach
4 competency with handguns. A firearms training course shall
5 include classroom instruction and range instruction and an
6 actual demonstration by the applicant of ~~[his]~~ the ability to
7 safely use a handgun. An applicant shall not be licensed
8 unless ~~[he]~~ the applicant demonstrates, at a minimum, ~~[his]~~ the
9 ability to use a handgun of .32 caliber. An approved firearms
10 training course shall be a course that is certified or
11 sponsored by a federal or state law enforcement agency, a
12 college, a firearms training school or a nationally recognized
13 organization, approved by the department, that customarily
14 offers firearms training. The firearms training course shall
15 be not less than ~~[fifteen]~~ six hours in length and shall
16 provide instruction regarding:

- 17 (1) knowledge of and safe handling of single-
18 and double-action revolvers and semiautomatic handguns;
19 (2) safe storage of handguns and child safety;
20 (3) safe handgun shooting fundamentals;
21 (4) live shooting of a handgun on a firing
22 range;
23 (5) identification of ways to develop and
24 maintain handgun shooting skills;
25 (6) federal, state and local criminal and

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1 civil laws pertaining to the purchase, ownership,
2 transportation, use and possession of handguns;

3 (7) techniques for avoiding a criminal attack
4 and how to control a violent confrontation; and

5 (8) techniques for nonviolent dispute
6 resolution.

7 B. Every instructor of an approved firearms
8 training course shall annually file a copy of the course
9 description and proof of certification with the department."

10 SECTION 5. Section 29-19-12 NMSA 1978 (being Laws 2003,
11 Chapter 255, Section 12, as amended) is amended to read:

12 "29-19-12. RULES--DEPARTMENT TO ADMINISTER--RECIPROCAL
13 AGREEMENTS WITH OTHER STATES.--The department shall promulgate
14 rules necessary to implement the provisions of the Concealed
15 Handgun Carry Act. The rules shall include:

16 A. grounds for the suspension and revocation of
17 concealed handgun licenses issued pursuant to the provisions of
18 the Concealed Handgun Carry Act;

19 B. provision of authority for a law enforcement
20 officer to confiscate a concealed handgun license when a
21 licensee violates the provisions of the Concealed Handgun Carry
22 Act;

23 C. provision of authority for a private property
24 owner to disallow the carrying of a concealed handgun on the
25 owner's property; and

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1 D. creation of a sequential numbering system for
2 all concealed handgun licenses issued by the department and
3 display of numbers on issued concealed handgun licenses [~~and~~

4 ~~E. provision of discretionary state authority for~~
5 ~~the transfer, recognition or reciprocity of a concealed handgun~~
6 ~~license issued by another state if the issuing authority for~~
7 ~~the other state:~~

8 ~~(1) includes provisions at least as stringent~~
9 ~~as or substantially similar to the Concealed Handgun Carry Act;~~

10 ~~(2) issues a license or permit with an~~
11 ~~expiration date printed on the license or permit;~~

12 ~~(3) is available to verify the license or~~
13 ~~permit status for law enforcement purposes within three~~
14 ~~business days of a request for verification;~~

15 ~~(4) has disqualification, suspension and~~
16 ~~revocation requirements for a concealed handgun license or~~
17 ~~permit; and~~

18 ~~(5) requires that an applicant for a concealed~~
19 ~~handgun license or permit:~~

20 ~~(a) submit to a national criminal~~
21 ~~history record check;~~

22 ~~(b) not be prohibited from possessing~~
23 ~~firearms pursuant to federal or state law; and~~

24 ~~(c) satisfactorily complete a firearms~~
25 ~~safety program that covers deadly force issues, weapons care~~

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1 ~~and maintenance, safe handling and storage of firearms and~~
2 ~~marksmanship]."~~

3 SECTION 6. A new section of the Concealed Handgun Carry
4 Act is enacted to read:

5 "[NEW MATERIAL] TERMS AND CONDITIONS OF LICENSE.--

6 A. A person may carry a concealed handgun of any
7 category or caliber that is legal to possess.

8 B. A licensee shall only carry one concealed
9 handgun at any given time.

10 C. A person shall not consume alcohol while
11 carrying a concealed handgun.

12 D. A person shall not carry a concealed handgun
13 while impaired by the use of alcohol, controlled substances or
14 over-the-counter or prescribed medications.

15 E. A licensee carrying a concealed handgun on or
16 about the licensee's person in public shall, upon demand by a
17 peace officer, display the licensee's license to carry a
18 concealed handgun.

19 F. A licensee shall not deface, alter, mutilate,
20 reproduce, lend, transfer or sell a license.

21 G. A licensee shall not carry a concealed handgun:

22 (1) on or about the licensee's person on
23 private property that has signs posted prohibiting the carrying
24 of concealed weapons or when verbally told so by a person
25 lawfully in possession of the property;

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1 (2) on the premises of a preschool that
2 provides care to infants, toddlers or children aged five and
3 younger, including home-based or center-based child care
4 facilities, whether or not the facility is licensed, registered
5 or regulated;

6 (3) on the premises of a school except as
7 allowed by law;

8 (4) on the premises of a post-secondary
9 institution except as allowed by law; or

10 (5) in an establishment licensed to dispense
11 alcoholic beverages except as allowed by law.

12 H. A licensee shall, within twenty days, both
13 notify the department in writing and return the license to the
14 department upon the occurrence of any of the following:

15 (1) the licensee has been adjudicated as
16 mentally incompetent;

17 (2) the licensee has been involuntarily
18 committed to a facility for the treatment of mental illness;

19 (3) the licensee has been involuntarily
20 committed to a facility for treatment of addiction to alcohol,
21 controlled substances or other drugs;

22 (4) an order of protection has been issued by
23 a court against the licensee;

24 (5) the licensee has been indicted for or
25 charged with a felony or disqualifying misdemeanor offense

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1 described in Subsection B of Section 29-19-4 NMSA 1978;

2 (6) the licensee is no longer a full-time
3 salaried law enforcement officer; or

4 (7) the licensee is other than honorably
5 discharged from the military."

6 SECTION 7. A new section of the Concealed Handgun Carry
7 Act is enacted to read:

8 "[NEW MATERIAL] LICENSE RENEWAL--TRANSFER OF LICENSE FROM
9 ANOTHER STATE.--

10 A. To renew a New Mexico license, a licensee shall
11 submit an application for a renewed license on the form
12 prescribed by the department; and the licensee:

13 (1) may submit the application any time from
14 one hundred twenty days before to one hundred twenty days after
15 the license expires. If the license has expired, a licensee
16 shall not carry a concealed handgun until the licensee receives
17 a renewed license;

18 (2) shall not be required to complete a
19 refresher firearms training course to renew the application;
20 and

21 (3) shall submit to the department:

22 (a) electronic fingerprints pursuant to
23 Section 29-19-5 NMSA 1978 and 10.8.2.14 NMAC, unless electronic
24 fingerprints are already on file with the department;

25 (b) a nonrefundable seventy-five-dollar

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1 (\$75.00) renewal fee; and

2 (c) a copy of the applicant's New Mexico
3 driver's license or other government-issued identification that
4 contains a picture of the applicant.

5 B. A person establishing New Mexico residency must
6 transfer the person's concealed handgun license from another
7 state. The license holder has ninety days from when New Mexico
8 residency is established to file an application for a New
9 Mexico renewed license on the form prescribed by the
10 department.

11 C. An applicant for transfer of a license shall not
12 carry a concealed handgun in New Mexico until the applicant
13 receives a New Mexico license unless the applicant has a
14 license from a state that has been accepted by reciprocity by
15 New Mexico.

16 D. To transfer a license from another state, the
17 applicant for license transfer shall provide:

18 (1) electronic fingerprints pursuant to
19 Section 29-19-5 NMSA 1978 and 10.8.2.14 NMAC, unless electronic
20 fingerprints are already on file with the department;

21 (2) a certified copy of a certificate of
22 completion for a firearms training course approved by the
23 department issued by an approved instructor not more than
24 ninety days prior to the date that the application is filed;

25 (3) a nonrefundable seventy-five-dollar

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1 (\$75.00) renewal fee;

2 (4) a copy of the applicant's New Mexico
3 driver's license or other government-issued identification that
4 contains a picture of the applicant;

5 (5) proof of residency in a form approved by
6 the department;

7 (6) proof of age in a form approved by the
8 department; and

9 (7) a photocopy of the license being
10 transferred.

11 E. The applicant for license transfer shall meet
12 all other requirements for obtaining a license in New Mexico by
13 showing that either:

14 (1) the requirements for licensure in the
15 other state meet or exceed the requirements for issuance of a
16 license in New Mexico; or

17 (2) the applicant has satisfactorily completed
18 the requirements for issuance of a license in New Mexico that
19 were not applicable in the other state.

20 F. If the firearms training required by another
21 state does not meet the New Mexico firearms training
22 requirements or the licensee completed firearms training more
23 than one year prior to filing the application, an applicant for
24 transfer seeking a license shall satisfactorily complete an
25 initial firearms training course approved by the department

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1 that includes at least six hours of classroom and firing range
2 instruction pursuant to Subsection A of Section 29-19-7 NMSA
3 1978, except:

- 4 (1) a department-approved instructor;
- 5 (2) a current law enforcement officer;
- 6 (3) a retired law enforcement officer who has
7 been retired ten years or less at the time of application;
- 8 (4) active military personnel;
- 9 (5) military service persons who have been
10 discharged within twenty years prior to the time of
11 application; or
- 12 (6) mounted patrol members who have
13 successfully completed a law enforcement training program for
14 New Mexico mounted patrol."

15 SECTION 8. Section 30-7-2 NMSA 1978 (being Laws 1963,
16 Chapter 303, Section 7-2, as amended) is amended to read:

17 "30-7-2. UNLAWFUL CARRYING OF A DEADLY WEAPON.--

18 A. Unlawful carrying of a deadly weapon consists of
19 carrying a concealed loaded firearm or any other type of deadly
20 weapon anywhere, except in the following cases:

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

24 (2) in a private automobile or other private
25 means of conveyance, for lawful protection of the person's or

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1 another's person or property;

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

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

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

16 B. Nothing in this section shall be construed to
17 prevent the carrying of any unloaded firearm.

18 C. Whoever commits unlawful carrying of a deadly
19 weapon is guilty of a ~~[petty]~~ misdemeanor."