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SENATE BILL 237

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

INTRODUCED BY

Craig W. Brandt

AN ACT

RELATING TO CONCEALED HANDGUN LICENSES; CLARIFYING LICENSE
APPLICATION REQUIREMENTS FOR CURRENT AND RETIRED LAW
ENFORCEMENT OFFICERS AND MOUNTED PATROL MEMBERS.

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

SECTION 1. Section 29-19-5 NMSA 1978 (being Laws 2003,
Chapter 255, Section 5, as amended) is amended to read:

"29-19-5. APPLICATION FORM--SCREENING OF APPLICANTS--
FEE--LIMITATIONS ON LIABILITY.--

A. Effective July 1, 2003, applications for
concealed handgun licenses shall be made readily available at
locations designated by the department. Applications for
concealed handgun licenses shall be completed, under penalty of
perjury, on a form designed and provided by the department and
shall include:

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1 (1) the applicant's name, current address,
2 date of birth, place of birth, social security number, height,
3 weight, gender, hair color, eye color and driver's license
4 number or other state-issued identification number;

5 (2) a statement that the applicant is aware
6 of, understands and is in compliance with the requirements for
7 licensure set forth in the Concealed Handgun Carry Act;

8 (3) a statement that the applicant has been
9 furnished a copy of the Concealed Handgun Carry Act and is
10 knowledgeable of its provisions; and

11 (4) a conspicuous warning that the application
12 form is executed under penalty of perjury and that a materially
13 false answer or the submission of a materially false document
14 to the department may result in denial or revocation of a
15 concealed handgun license and may subject the applicant to
16 criminal prosecution for perjury as provided in Section 30-25-1
17 NMSA 1978.

18 B. Except as provided in Section 29-19-14 NMSA
19 1978, the applicant shall submit to the department:

- 20 (1) a completed application form;
21 (2) a nonrefundable application fee in an
22 amount not to exceed one hundred dollars (\$100);
23 (3) two full sets of fingerprints;
24 (4) a certified copy of a certificate of
25 completion for a firearms training course approved by the

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1 department;

2 (5) two color photographs of the applicant;

3 (6) a certified copy of a birth certificate or
4 proof of United States citizenship, if the applicant was not
5 born in the United States; and

6 (7) proof of residency in New Mexico.

7 C. A law enforcement agency may fingerprint an
8 applicant and may charge a reasonable fee.

9 D. Upon receipt of the items listed in Subsection B
10 of this section, the department shall make a reasonable effort
11 to determine if an applicant is qualified to receive a
12 concealed handgun license. The department shall conduct an
13 appropriate check of available records and shall forward the
14 applicant's fingerprints to the federal bureau of investigation
15 for a national criminal background check. The department shall
16 comply with the license-issuing requirements set forth in
17 Section 29-19-7 NMSA 1978. However, the department shall
18 suspend or revoke a license if the department receives
19 information that would disqualify an applicant from receiving a
20 concealed handgun license after the thirty-day time period has
21 elapsed.

22 E. A state or local government agency shall comply
23 with a request from the department pursuant to the Concealed
24 Handgun Carry Act within thirty days of the request."

25 SECTION 2. Section 29-19-14 NMSA 1978 (being Laws 2005,
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1 Chapter 242, Section 7, as amended) is amended to read:

2 "29-19-14. CURRENT AND RETIRED LAW ENFORCEMENT OFFICERS
3 AND NEW MEXICO MOUNTED PATROL MEMBERS--APPLICATION
4 REQUIREMENTS--

5 A. An application fee, a renewal fee and a firearms
6 training course are not required [~~for~~] to be submitted by an
7 applicant or licensee who is a:

8 (1) [~~a~~] current [~~or retired~~] certified law
9 enforcement officer pursuant to the Law Enforcement Training
10 Act;

11 (2) retired certified law enforcement officer
12 pursuant to the Law Enforcement Training Act, if:

13 (a) the retired officer was a certified
14 law enforcement officer pursuant to the Law Enforcement
15 Training Act for at least fifteen years prior to retirement;

16 (b) the retired officer has been retired
17 for ten years or less; and

18 (c) the retired officer's retirement is
19 in good standing as shown by a letter from the agency from
20 which the officer retired; or

21 [~~(2)-a~~] (3) current member of the New Mexico
22 mounted patrol who has successfully completed a law enforcement
23 academy basic law enforcement training program for New Mexico
24 mounted patrol members pursuant to Section 29-6-4.1 NMSA 1978.

25 B. A current or retired law enforcement officer or

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1 New Mexico mounted patrol member shall submit to the department
2 with the officer's or member's application two full sets of
3 fingerprints and a color photograph of the [~~law enforcement~~]
4 officer or [~~New Mexico mounted patrol~~] member. The department
5 shall conduct an appropriate check of available records and
6 shall forward the applicant's fingerprints to the federal
7 bureau of investigation for a national criminal background
8 check.

9 ~~C. A retired law enforcement officer is not~~
10 ~~required to submit an application fee or a renewal fee if:~~

11 ~~(1) the officer was a certified law~~
12 ~~enforcement officer pursuant to the Law Enforcement Training~~
13 ~~Act for at least fifteen years prior to retirement; and~~

14 ~~(2) the retirement is in good standing as~~
15 ~~shown by a letter from the agency from which the officer~~
16 ~~retired.~~

17 ~~D. A retired law enforcement officer who has been~~
18 ~~retired ten years or less is not required to complete a~~
19 ~~firearms training course.~~

20 ~~E.]~~ C. A retired law enforcement officer who has
21 been retired for more than ten years shall be required to
22 complete a firearms training course. The officer shall be
23 allowed to attend any local law enforcement agency's firearms
24 qualification course; provided that the officer supplies the
25 officer's own ammunition, handgun, targets and range equipment.

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1 A local law enforcement agency shall not be liable under the
2 Tort Claims Act for providing a firearms training course to a
3 retired law enforcement officer pursuant to this subsection.

4 ~~[F.]~~ D. A retired law enforcement officer's
5 concealed handgun license shall have printed on the license
6 "retired police officer" and shall be valid for a period of
7 five years."

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