

SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR
SENATE BILL 507

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

This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

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,

.231558.1AIC March 20, 2025 (8:55pm)

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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;~~

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

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

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

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

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

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

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

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

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

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

(3) is twenty-one years of age or older;

(4) is not a fugitive from justice;

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

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

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

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

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

(10) has satisfactorily completed a firearms training course approved by the department [~~for the category~~

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~~and the largest caliber of handgun that the applicant wants to be licensed to carry as a concealed handgun].~~

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

(1) received a conditional discharge, a diversion or a deferment or has been convicted of, pled guilty to or entered a plea of nolo contendere to a misdemeanor offense involving a crime of violence within ten years immediately preceding the application;

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

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

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

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

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

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"29-19-6. [~~APPEAL~~] LICENSE HJC→~~[RENEWAL--REFRESHER
FIREARMS TRAINING COURSE]~~←HJC HJC→RENEWAL--REFRESHER FIREARMS
TRAINING COURSE←HJC --ISSUANCE--LOST OR STOLEN LICENSE--
SUSPENSION OR REVOCATION OF LICENSE.--

A. Pursuant to rules adopted by the department, the department, within thirty days after receiving a completed application for a concealed handgun license and the results of a national criminal background check on the applicant, shall:

- (1) issue a concealed handgun license to an applicant; or
- (2) deny the application on the grounds that the applicant failed to qualify for a concealed handgun license pursuant to the provisions of the Concealed Handgun Carry Act.

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

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

- (1) a color photograph of the licensee;
- (2) the licensee's name, address and date of birth;

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

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

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

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

HJC→~~F. A licensee may renew a concealed handgun license by submitting to the department:~~

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

~~(2) a payment of a seventy-five-dollar~~

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~~(\$75.00) renewal fee; and~~ ←HJC

HJC→F. A licensee may renew a concealed handgun license by submitting to the department:

(1) a completed renewal form, under penalty of perjury, designed and provided by the department; HJC→and←HJC

(2) a payment of a seventy-five-dollar (\$75.00) renewal fee HJC→; and←HJC HJC→.←HJC ←HJC

HJC→[←HJC (3) a certificate of completion of a four-hour refresher firearms training course approved by the department HJC→.←HJC HJC→]←HJC

HJC→G.]←HJC HJC→G.←HJC HJC→F.←HJC The department shall conduct a national criminal records check of a licensee seeking to renew a license. A concealed handgun license shall not be renewed more than sixty days after it has expired. A licensee who fails to renew a concealed handgun license within sixty days after it has expired may apply for a new concealed handgun license pursuant to the provisions of the Concealed Handgun Carry Act.

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

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~~course.~~

~~I.]~~ ←HJC

HJC → H. A licensee shall complete a two-hour refresher firearms training course two years after the issuance of an original or renewed license. The refresher course shall be approved by the department and shall be taken twenty-two to twenty-six months after the issuance of an original or renewed license. A certificate of completion shall be submitted to the department no later than thirty days after completion of the course.

I. ←HJC HJC → ~~G.~~ ←HJC The department shall suspend or revoke a concealed handgun license if:

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

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

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

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

"29-19-7. DEMONSTRATION OF ABILITY AND KNOWLEDGE--COURSE REQUIREMENT--PROPRIETARY INTEREST--EXEMPTIONS.--

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

- (1) knowledge of and safe handling of single- and double-action revolvers and semiautomatic handguns;
- (2) safe storage of handguns and child safety;
- (3) safe handgun shooting fundamentals;
- (4) live shooting of a handgun on a firing range;
- (5) identification of ways to develop and maintain handgun shooting skills;
- (6) federal, state and local criminal and civil laws pertaining to the purchase, ownership,

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transportation, use and possession of handguns;

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

(8) techniques for nonviolent dispute resolution.

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

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

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

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

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

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

D. creation of a sequential numbering system for

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all concealed handgun licenses issued by the department and display of numbers on issued concealed handgun licenses; and

E. provision of discretionary state authority for the [~~transfer~~] recognition or reciprocity of a concealed handgun license issued by another state if the issuing authority for the other state:

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

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

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

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

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

(a) submit to a national criminal history record check;

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

(c) satisfactorily complete a firearms safety program that covers deadly force issues, weapons care and maintenance, safe handling and storage of firearms and

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marksmanship."

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

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

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

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

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

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

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

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

G. A licensee shall not carry a concealed handgun:

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

(2) on the premises of a preschool that

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provides care to infants, toddlers or children aged five and younger, including home-based or center-based child care facilities, whether or not the facility is licensed, registered or regulated;

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

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

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

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

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

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

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

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

(5) the licensee has been indicted for or charged with a felony or disqualifying misdemeanor offense described in Subsection B of Section 29-19-4 NMSA 1978;

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

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

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

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

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

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

(2) shall HJC→not←HJC be required to complete a refresher firearms training course to renew the application; and

(3) shall submit to the department:

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

(b) a nonrefundable seventy-five-dollar (\$75.00) renewal fee; and

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

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

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

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

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

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

(3) a nonrefundable seventy-five-dollar (\$75.00) renewal fee;

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

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

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

(7) a photocopy of the license being transferred.

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

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

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

F. If the firearms training required by another state does not meet the New Mexico firearms training requirements or the licensee completed firearms training more than one year prior to filing the application, an applicant for license transfer shall satisfactorily complete an initial firearms training course approved by the department that includes at least six hours of classroom and firing range

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instruction pursuant to Subsection A of Section 29-19-7 NMSA 1978, except:

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

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

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

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

- (1) in the person's residence or on real property belonging to ~~him~~ the person as owner, lessee, tenant or licensee;
- (2) in a private automobile or other private means of conveyance, for lawful protection of the person's or another's person or property;

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

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

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

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

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

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