

1 HOUSE BILL 202

2 **57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

3 INTRODUCED BY

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5 and Alan T. Martinez and Meredith A. Dixon
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10 AN ACT

11 RELATING TO TAXATION; CREATING THE GUN STORAGE INCOME TAX
12 CREDIT.
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14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

15 SECTION 1. A new section of the Income Tax Act is enacted
16 to read:

17 "[NEW MATERIAL] GUN STORAGE INCOME TAX CREDIT.--

18 A. For taxable years prior to January 1, 2028, a
19 taxpayer who is not a dependent of another individual and who,
20 on or after July 1, 2025, purchases a secure gun storage may
21 apply for, and the department may allow, a one-time credit
22 against the taxpayer's tax liability imposed pursuant to the
23 Income Tax Act in an amount equal to the price paid for a
24 secure gun storage, not to exceed seven hundred fifty dollars
25 (\$750). The department shall allow a credit only for a secure

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1 gun storage certified pursuant to Subsection B of this section.
2 The tax credit provided by this section may be referred to as
3 the "gun storage income tax credit".

4 B. A taxpayer shall apply for certification of
5 eligibility for a gun storage income tax credit from the
6 department of public safety on forms and in the manner
7 prescribed by that department. The aggregate amount of credits
8 that may be certified as eligible in any calendar year is one
9 million dollars (\$1,000,000). Completed applications shall be
10 considered in the order received. Applications for
11 certification received after this limitation has been met in a
12 calendar year shall not be approved. The application shall
13 include proof of purchase and that the secure gun storage meets
14 technical specifications and requirements relating to safety
15 and standards compliance. A dated certificate of eligibility
16 shall be issued to the taxpayer providing the amount of credit
17 for which the taxpayer is eligible and the taxable year in
18 which the credit may be claimed.

19 C. A taxpayer may claim a credit provided by this
20 section for the taxable year in which the taxpayer purchases a
21 secure gun storage. To receive the credit, the taxpayer shall
22 apply to the department on forms and in the manner prescribed
23 by the department within twelve months following the calendar
24 year in which the secure gun storage was purchased. The
25 application shall include a certification made pursuant to

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1 Subsection B of this section.

2 D. That portion of a gun storage income tax credit
3 that exceeds a taxpayer's tax liability in the taxable year in
4 which the credit is claimed shall be refunded to the taxpayer.

5 E. Married individuals filing separate returns for
6 a taxable year for which they could have filed a joint return
7 may each claim only one-half of the gun storage income tax
8 credit that would have been claimed on a joint return.

9 F. A taxpayer may be allocated the right to claim a
10 gun storage income tax credit in proportion to the taxpayer's
11 ownership interest if the taxpayer owns an interest in a
12 business entity that is taxed for federal income tax purposes
13 as a partnership or limited liability company and that business
14 entity has met all of the requirements to be eligible for the
15 credit. The total credit claimed by all members of the
16 partnership or limited liability company shall not exceed the
17 allowable credit pursuant to this section.

18 G. A taxpayer allowed a gun storage income tax
19 credit pursuant to this section shall report the amount of the
20 credit to the department in a manner required by the
21 department.

22 H. The credit provided by this section shall be
23 included in the tax expenditure budget pursuant to Section
24 7-1-84 NMSA 1978, including the total annual aggregate cost of
25 the credit.

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I. As used in this section:

(1) "firearm" means a weapon that will or is designed to or may readily be converted to expel a projectile by the action of an explosive; and

(2) "secure gun storage" means a new safe, gun safe, gun case, lock box or other device that is designed to be or can be used to store a firearm and that is designed to be unlocked only by means of a key, a combination or other similar means."

SECTION 2. APPLICABILITY.--The provisions of this act apply to taxable years beginning on or after January 1, 2025.