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HOUSE BILL 287

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Ron Godbey

AN ACT

**RELATING TO LAW ENFORCEMENT; AUTHORIZING PROBATION AND PAROLE
OFFICERS OF THE CORRECTIONS DEPARTMENT TO LAWFULLY CARRY
CONCEALED, LOADED FIREARMS OR OTHER TYPES OF DEADLY WEAPONS;
AMENDING A SECTION OF THE NMSA 1978.**

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

**Section 1. 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 as owner, lessee, tenant or
licensee;**

underscored material = new
[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
5 the policies of his law enforcement agency, who is certified
6 pursuant to the Law Enforcement Training Act; [or]

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

14 (5) by a probation and parole officer of the
15 corrections department, in accordance with the policies of the
16 corrections department, who has successfully completed a
17 course of firearms instruction prescribed by the New Mexico
18 law enforcement academy or provided by a certified firearms
19 instructor who is employed on a permanent basis by a law
20 enforcement agency.

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

23 C. Whoever commits unlawful carrying of a deadly
24 weapon is guilty of a petty misdemeanor. "

25 Section 2. EFFECTIVE DATE. -- The effective date of the

. 134609. 1

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provisions of this act is July 1, 2001.

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