

1 SENATE BILL 230

2 **51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

3 INTRODUCED BY

4 Sue Wilson Beffort

5
6
7
8
9
10 AN ACT

11 RELATING TO THE CONCEALED HANDGUN CARRY ACT; ALLOWING SCHOOLS
12 TO DESIGNATE ONE EMPLOYEE TO CARRY A CONCEALED HANDGUN ON
13 SCHOOL PREMISES.

14
15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 SECTION 1. A new section of the Concealed Handgun Carry
17 Act is enacted to read:

18 "[NEW MATERIAL] DESIGNATED SCHOOL EMPLOYEE MAY OBTAIN
19 LICENSE.--A school may designate one of its employees to use
20 the employee's concealed handgun license in order to bring a
21 concealed handgun onto the premises of the school."

22 SECTION 2. Section 29-19-8 NMSA 1978 (being Laws 2003,
23 Chapter 255, Section 8) is amended to read:

24 "29-19-8. LIMITATION ON LICENSE.--

25 A. Nothing in the Concealed Handgun Carry Act shall

.191112.1

underscored material = new
[bracketed material] = delete

1 be construed as allowing a licensee in possession of a valid
2 concealed handgun license to carry a concealed handgun into or
3 on premises where to do so would be in violation of state or
4 federal law.

5 B. Nothing in the Concealed Handgun Carry Act shall
6 be construed as allowing a licensee in possession of a valid
7 concealed handgun license to carry a concealed handgun on
8 school premises, as provided in Section 30-7-2.1 NMSA 1978.

9 C. Nothing in the Concealed Handgun Carry Act shall
10 be construed as allowing a licensee in possession of a valid
11 concealed handgun license to carry a concealed handgun on the
12 premises of a preschool, except as provided in Section 1 of
13 this 2013 act."

14 SECTION 3. Section 30-7-2.1 NMSA 1978 (being Laws 1987,
15 Chapter 232, Section 1, as amended) is amended to read:

16 "30-7-2.1. UNLAWFUL CARRYING OF A DEADLY WEAPON ON SCHOOL
17 PREMISES.--

18 A. Unlawful carrying of a deadly weapon on school
19 premises consists of carrying a deadly weapon on school
20 premises except by:

- 21 (1) a peace officer;
- 22 (2) school security personnel;
- 23 (3) a student, instructor or other

24 school-authorized personnel engaged in army, navy, marine corps
25 or air force reserve officer training corps programs or

.191112.1

underscored material = new
[bracketed material] = delete

1 state-authorized hunter safety training instruction;

2 (4) a person conducting or participating in a
3 school-approved program, class or other activity involving the
4 carrying of a deadly weapon; ~~[or]~~

5 (5) a person older than nineteen years of age
6 on school premises in a private automobile or other private
7 means of conveyance, for lawful protection of the person's or
8 another's person or property; or

9 (6) a school employee authorized to carry a
10 concealed handgun under Section 1 of this 2013 act.

11 B. As used in this section, "school premises"
12 means:

13 (1) the buildings and grounds, including
14 playgrounds, playing fields and parking areas and any school
15 bus of any public elementary, secondary, junior high or high
16 school in or on which school or school-related activities are
17 being operated under the supervision of a local school board;
18 or

19 (2) any other public buildings or grounds,
20 including playing fields and parking areas that are not public
21 school property, in or on which public school-related and
22 sanctioned activities are being performed.

23 C. Whoever commits unlawful carrying of a deadly
24 weapon on school premises is guilty of a fourth degree felony."

25 SECTION 4. EFFECTIVE DATE.--The effective date of the

.191112.1

underscoring material = new
[bracketed material] = delete

1 provisions of this act is July 1, 2013.

2 - 4 -

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

.191112.1