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HOUSE BILL 35

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

Miguel P. Garcia

AN ACT

RELATING TO FIREARMS; REQUIRING A FEDERAL FIREARMS LICENSEE TO
VERIFY IF A FIREARM PURCHASED IN THE LICENSEE'S ORDINARY COURSE
OF BUSINESS IS STOLEN; PROVIDING A CIVIL PENALTY.

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

SECTION 1. ~~[NEW MATERIAL]~~ FEDERAL FIREARMS LICENSEES--
REQUIREMENT TO REQUEST THE DEPARTMENT OF PUBLIC SAFETY TO
VERIFY IF A PURCHASED FIREARM IS STOLEN--CIVIL PENALTY.--

A. A federal firearms licensee shall, within one
business day of purchasing a firearm in the licensee's ordinary
course of business, request the department of public safety to
use resources available to the department to determine if the
firearm is stolen. The department shall advise the licensee of
the determination within three business days of the request.
If the department determines that the firearm is stolen, the

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1 licensee shall surrender the firearm to the department or to
2 local law enforcement. If the firearm is surrendered to local
3 law enforcement, the licensee shall provide evidence of the
4 surrender to the department.

5 B. On or before July 1 of each year, a federal
6 firearms licensee shall pay an annual fee of two hundred
7 dollars (\$200) to the department of public safety to administer
8 the provisions of this section.

9 C. A licensee that willfully or knowingly violates
10 the provisions of this section shall be subject to a civil
11 penalty of two thousand five hundred dollars (\$2,500), or the
12 value of the firearm purchased, whichever is greater, for each
13 violation.

14 D. As used in this section, "federal firearms
15 licensee" means a person licensed by the United States bureau
16 of alcohol, tobacco, firearms and explosives to engage in a
17 business pertaining to the manufacture or importation of
18 firearms and ammunition or the interstate and intrastate sale
19 of firearms."

20 SECTION 2. EFFECTIVE DATE.--The effective date of the
21 provisions of this act is July 1, 2019.