HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR HOUSE CONSUMER AND PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR HOUSE BILL 306

56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023

AN ACT

RELATING TO CRIME; PROHIBITING THE UNLAWFUL PURCHASE OR TRANSFER OF A FIREARM FOR ANOTHER.

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

SECTION 1. [NEW MATERIAL] UNLAWFUL PURCHASE OR TRANSFER

OF A FIREARM FOR ANOTHER.--

A. Unlawful purchase or transfer of a firearm for another consists of a person who knowingly purchases, transfers or conspires to purchase or transfer any firearm for, on behalf of or at the request or demand of another person, knowing that the other person:

- (1) is a felon; or
- (2) intends to use, carry, possess, sell or otherwise transfer possession of the firearm in furtherance of any felony or misdemeanor involving a firearm.

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	В.	Prose	cution	pursu	ıant	to t	this	section	n s	shall	not
prevent	prosec	ution	pursuar	nt to	any	othe	er se	ction	of	the	
Crimina	l Code.										

- C. Whoever commits unlawful purchase or transfer of a firearm for another is guilty of a fourth degree felony and shall be sentenced in accordance with the provisions of the Criminal Sentencing Act.
- D. As used in this section, "felon" means a person convicted of a felony offense by a court of the United States or any state or political subdivision, and:
- (1) less than ten years have passed since the person completed serving a sentence or period of probation for the felony conviction, whichever is later;
- (2) the person has not been pardoned for the felony conviction by the proper authority; and
- (3) the person has not received a deferred sentence.

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