

LFC Requester:

SCOTT SANCHEZ

### AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

#### SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: 2/21/2025

Check all that apply:

Bill Number: HB 565

Original  Correction   
Amendment  Substitute

Sponsor: REPS. STEFANI LORD, JIMMY MASON, JOHN BLOCK, WILLIAM A. HALL II, HARLAN VINCENT

Agency Name and Code Number: 305 – New Mexico Department of Justice

Person Writing Analysis: AAG BRIAN MOFFATT

Short Title: GUN WAITING PERIOD FOR LAW ENFORCEMENT

Phone: 505-537-7676

Email: legisfir@nmag.gov

#### SECTION II: FISCAL IMPACT

##### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
N/A	N/A	N/A	N/A

(Parenthesis ( ) indicate expenditure decreases)

##### REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
N/A	N/A	N/A	N/A	N/A

(Parenthesis ( ) indicate revenue decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	<b>FY25</b>	<b>FY26</b>	<b>FY27</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>	N/A	N/A	N/A	N/A	N/A	N/A

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: HB 566, HB 162, HB 384  
Duplicates/Relates to Appropriation in the General Appropriation Act

**SECTION III: NARRATIVE**

*This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator's request. The analysis does not represent any official policy or legal position of the NM Department of Justice.*

**BILL SUMMARY**

Synopsis:

NMSA 30-7-7.3, as currently written, requires a seven-calendar-day waiting period for the sale of a firearm and the transfer of the firearm to the buyer. Currently, sales of firearms to a federal firearms licensee, a concealed carry license holder, a law enforcement agency, or between certain certified law enforcement officers or between immediate family members are exempt from the waiting period.

HB 565 would add to the exemptions (1) sales to a buyer who is a law enforcement officer authorized to carry a firearm and certified pursuant to federal law or the Law Enforcement Training Act; and (2) sales to a buyer who is a commissioned law enforcement officer who has the power to arrest while performing the officer's official duties.

**FISCAL IMPLICATIONS**

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

**SIGNIFICANT ISSUES**

None.

**PERFORMANCE IMPLICATIONS**

None.

**ADMINISTRATIVE IMPLICATIONS**

None.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

HB 566 duplicates and subsumes HB 565, in that HB 566 would exempt both new categories as HB 565, and would additionally exempt former or retired law enforcement officers who were authorized to carry a firearm and certified pursuant to federal law or the Law Enforcement Training Act, as well as law enforcement officers of an Indian nation, tribe or pueblo who are authorized to carry a firearm.

HB 566 differs further from HB 565 by specifying that the members of the newly exempted groups must not by action of law be permanently disqualified from possessing a firearm. This provision would remove the exemption, for example, of virtually any former or retired law enforcement officer who was also a felon.

HB 162 and HB 384 are both titled Repeal Firearms Sale Waiting Period and are each sponsored in whole or in part by some of the sponsors of HB 565 and HB 566. If NMSA 30-7-7.3 were repealed, it would not thereafter need to be amended as proposed by either HB 565 or HB 566.

#### **TECHNICAL ISSUES**

None.

#### **OTHER SUBSTANTIVE ISSUES**

None.

#### **ALTERNATIVES**

None.

#### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Status quo.

#### **AMENDMENTS**

None.