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SENATE BILL 274

44TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2000

INTRODUCED BY

R. L. Stockard

AN ACT

RELATING TO LAW ENFORCEMENT; AUTHORIZING PROBATION AND PAROLE OFFICERS OF THE CORRECTIONS DEPARTMENT TO 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

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1 licensee;

2 (2) in a private automobile or other private
3 means of conveyance, for lawful protection of the person's or
4 another's person or property;

5 (3) by a peace officer in accordance with
6 the policies of his law enforcement agency who is certified
7 pursuant to the Law Enforcement Training Act; ~~[or]~~

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

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

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

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

Section 2. EFFECTIVE DATE. -- The effective date of the provisions of this act is July 1, 2000.