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HOUSE BILL 578

48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008

INTRODUCED BY

Rhonda S. King

AN ACT

RELATING TO CRIMINAL LAW; INCLUDING PUBLIC POST-SECONDARY
EDUCATIONAL INSTITUTIONS IN THE DEFINITION OF "SCHOOL PREMISES"
AS IT RELATES TO THE UNLAWFUL CARRYING OF A DEADLY WEAPON.

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

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

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

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

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

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1 school-authorized personnel engaged in army, navy, marine corps
2 or air force reserve officer training corps programs or
3 state-authorized hunter safety training instruction;

4 (4) a person conducting or participating in a
5 school-approved program, class or other activity involving the
6 carrying of a deadly weapon; or

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

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; or

23 (3) the buildings and grounds of any public
24 post-secondary educational institution.

25 C. Whoever commits unlawful carrying of a deadly

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weapon on school premises is guilty of a fourth degree felony."

Section 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2008.

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