

HOUSE BILL 338

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

INTRODUCED BY

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AN ACT

RELATING TO PUBLIC SAFETY; REQUIRING CERTAIN PERSONS EMPLOYED
IN FILMMAKING TO COMPLETE FIREARM TRAINING; SPECIFYING TRAINING
REQUIREMENTS; PROVIDING A PENALTY.

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

SECTION 1. A new section of the Film Production Tax
Credit Act is enacted to read:

"~~[NEW MATERIAL]~~ FILMMAKING--EMPLOYEES--FIREARM TRAINING
REQUIREMENT--PENALTY.--

A. All individuals employed in New Mexico by a film
production company that will handle, distribute or possess any
antique or modern firearm or firearm ammunition or components
physically located on the premises where filming is taking
place shall have a valid certificate of competency in the safe
handling of firearms by completing the firearm training

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1 security guard level three requirement as outlined by the
2 regulation and licensing department for security guard level
3 three.

4 B. A firearm instructor performing the training
5 required pursuant to Subsection A of this section shall be a
6 regulation-and-licensing-department-certified firearm
7 instructor for security guard level three, a New Mexico-law-
8 enforcement-academy-certified firearm instructor or a national-
9 rifle-association-certified firearm trainer. Firearm
10 instructors shall teach only the firearm curriculum developed
11 by the regulation and licensing department for level three
12 security guards. Firearm instructors shall issue a certificate
13 of completion for each person who successfully completes
14 training, which certificate shall not have an expiration date.

15 C. A film production company that employs
16 individuals not in compliance with the provisions of Subsection
17 A of this section shall not be eligible for tax credits
18 pursuant to the Film Production Tax Credit Act, including film
19 and television tax credits for the calendar year in which the
20 violation occurs.

21 D. As used in this section:

22 (1) "antique firearm" means a firearm not
23 intended or redesigned for using rim fire or conventional
24 center fire ignition with fixed ammunition;

25 (2) "firearm" means any weapon that will or is

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1 designed to or may readily be converted to expel a projectile
2 by the action of an explosion, including the frame or receiver
3 of any such weapon, any firearm muffler or firearm silencer and
4 any handgun, rifle or shotgun whether or not it is in a
5 permanently inoperable condition; and

6 (3) "firearm ammunition" means any self-
7 contained unit consisting of the case, primer, propellant
8 charge and projectile for use in a firearm from which is
9 expelled a projectile by the force of explosion or other form
10 of combustion and includes blank ammunition used in the course
11 of filmmaking that is not intended to expel a projectile."

12 SECTION 2. EFFECTIVE DATE.--The effective date of the
13 provisions of this act is January 1, 2024.