

LFC Requester:	Scott Sanchez
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AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.gov

(Analysis must be uploaded as a PDF)

SECTION I: GENERAL INFORMATION

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

Date Prepared: 1/24/2025 *Check all that apply:*
Bill Number: HB 101 Original Correction
 Amendment Substitute

Sponsor: Representative Andrea Reeb **Agency Name and Code** AOC 218
Short Title: FIREARM AT POLLING PLACE FOR LAW ENFORCEMENT **Number:** _____
Person Writing Gino Unzueta San Miguel
Phone: 5054701962 **Email** aocgus@nmcourts.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
None	None		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
None	None	None		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

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

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

House Bill 101 would expand the exemptions to possession of a firearm at a polling place to include “a commissioned law enforcement officer with the power to arrest in performance of the officer’s official duties;” and “a commissioned law enforcement officer with the power to arrest acting in accordance with the policies of the officer’s law enforcement agency.”

HB 101 does not contain an effective date, so the effective date would be June 20, 2025.

FISCAL IMPLICATIONS

No significant impact to the Judiciary is anticipated.

SIGNIFICANT ISSUES

Expanding exemptions to the prohibition of possession of firearms at a polling place could include commissioned law enforcement officers who may have not completed or attended training academies. As defined by (Section 29-7-7(J) NMSA 1978) a “commissioned” (law enforcement officer) “means an employee of a law enforcement agency who is authorized by a sheriff or chief of police to apprehend, arrest and bring before the court all violators within the law enforcement agency’s jurisdiction”.

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

There are other state laws that prohibit handguns within a number of areas where polls are located; i.e. schools (NMSA 1978 Sections 30-7-2.1 and 29-19-8), universities (NMSA 1978 Section 30-7-2.4), court facilities (NMSA 1978, Section 29-19-11), and hospitals that may contain the same exemption. Also, concealed carry licenses do not allow guns where they are otherwise prohibited by state law. In addition, NMSA 1-20-14 prohibits voters from being intimidated at polling locations.

TECHNICAL ISSUES – none.

OTHER SUBSTANTIVE ISSUES – none identified.

ALTERNATIVES – none.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS – none.