

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: 02/6/2025 *Check all that apply:*
Bill Number: SB279 Original Correction
 Amendment Substitute

Sponsor: O'Malley, Berghams, Romero, Little & Caballero **Agency Name and Code Number:** 770-NMCD
Short Title: Gas Operated Semiauto Firearms Exclusion Act **Person Writing:** Anisa Griego-Quintana
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
0	0	N/A	N/A

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
0	0	0	N/A	N/A

(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	0	0	0	0	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: Senate Bill 279 would make it illegal to import, manufacture, transfer, receive or possess any gas-operated semi-automatic firearms except for those specifically exempted in the legislation (e.g., handguns capable of holding no more than 10 rounds of ammunition and rifles that have a permanently fixed capacity of no more than 10 rounds).

The bill prohibits large-capacity clips for firearms — defined as clips that hold more than 10 rounds for handguns, rifles and shotguns — and devices that materially increase the rate of fire of a firearm or approximate the rate of fire of a machine gun, such as a “bump stocks,” which allows semi-automatic firearms to fire at the rate similar to a fully-automatic machine gun. It also prohibits machine guns and rapid fire devices and requires the Attorney General to enforce the provisions of the bill and certification of grandfathered gas-operated semi-automatic firearms.

No later than Oct. 1, 2025, the Attorney General would need to create a system for certifying grandfathered gas-operated semi-automatic firearms. The bill contains several specific requirements the certification should include.

In summary, beginning January 1, 2026, it will be unlawful to import, sell, manufacture, transfer or receive any of the following firearms, devices, or combinations of parts (the bill provides numerous exclusions for each type of device):

GAS-OPERATED SEMIAUTOMATIC FIREARMS.

- (1) a firearm that is included on the list of prohibited gas-operated semiautomatic firearms identified by the attorney general;
- (2) a modified non-prohibited firearm that, as modified, operates as a firearm included on the list of prohibited gas-operated semiautomatic firearms identified by the attorney general;
- (3) a combination of parts that is designed and functions to modify an otherwise non-prohibited firearm so that the firearm, as modified, operates as a gas-operated semiautomatic firearm included on the list of prohibited gas-operated semiautomatic firearms identified by the attorney general;
- (4) a combination of parts that is designed to be assembled into a firearm that operates as a firearm included on the list of prohibited gas-operated semiautomatic firearms identified by the attorney general; or
- (5) a combination of parts that functions to produce a gas-operated semiautomatic cycling action.

LARGE-CAPACITY AMMUNITION FEEDING DEVICES.

Under the act, on or after July 1, 2025, it is unlawful for any person to:

- (1) import, sell, manufacture, transfer or receive a large-capacity ammunition feeding device; or
- (2) possess a large-capacity ammunition feeding device manufactured after July 1, 2025.

It is unlawful for any person who owns or possesses a large-capacity ammunition feeding device that was manufactured and purchased or transferred before July 1, 2025, to transfer a large-capacity ammunition feeding device after July 1, 2025, except to those residing in another state or maintaining it in another state or to a licensed firearms dealer.

MACHINE GUNS AND RAPID FIRE DEVICES.

Beginning July 1, 2025, it is unlawful for any person to import, sell, manufacture, transfer, receive or possess a machine gun or machine gun attachment.

PENALTIES.

- Violation of the act is a misdemeanor unless otherwise specified.
- Importation, sale, manufacture, transfer, receipt or possession of a machine gun or rapid fire device is a fourth degree felony.
- Whoever commits or attempts to commit a felony while in possession of a gas-operated semiautomatic firearm or large-capacity ammunition feeding device in violation of the act is guilty of a fourth degree felony.

FISCAL IMPLICATIONS

None for the Corrections Department.

SIGNIFICANT ISSUES

This legislative change could reduce the availability of high-power weapons that are often used in violent crimes. This would likely contribute to a decrease in gun-related violence, leading to a safer environment. Limiting the presence of gas-operated semi-automatic firearms, especially those that can be modified for rapid firing, could enhance public safety by reducing the likelihood of these weapons being used in illegal activities or mass shootings. The restriction on the importation and transfer of these firearms could help curb illegal gun trafficking, because as these weapons become more difficult to obtain, criminal organizations that rely on illegal firearms may face additional challenges, leading to fewer firearms circulating.

PERFORMANCE IMPLICATIONS

None for the Corrections Department.

ADMINISTRATIVE IMPLICATIONS

None for the Corrections Department.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None for the Corrections Department.

TECHNICAL ISSUES

None for the Corrections Department.

OTHER SUBSTANTIVE ISSUES

None for the Corrections Department.

ALTERNATIVES

None for the Corrections Department.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

None proposed by the Corrections Department.