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HOUSE BILL 38

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

INTRODUCED BY

Kathleen Cates and Charlotte Little
and Patricia Roybal Caballero

AN ACT

RELATING TO CRIME; CREATING THE CRIME OF UNLAWFUL POSSESSION OF
A WEAPON CONVERSION DEVICE; PROVIDING A PENALTY.

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

SECTION 1. A new section of Chapter 30, Article 7 NMSA
1978 is enacted to read:

"[NEW MATERIAL] UNLAWFUL POSSESSION OF A WEAPON CONVERSION
DEVICE--PENALTY.--

A. Unlawful possession of a weapon conversion
device consists of a person knowingly having in that person's
possession a weapon conversion device or knowingly transporting
a weapon conversion device.

B. Each weapon conversion device found in violation
of this section constitutes a separate offense.

C. A person who commits unlawful possession of a
.229193.1

underscoring material = new
~~[bracketed material] = delete~~

underscoring material = new
~~[bracketed material] = delete~~

1 weapon conversion device is guilty of a third degree felony.

2 D. As used in this section:

3 (1) "fully automatic weapon" means a weapon
4 that shoots, is designed to shoot or can be readily restored to
5 shoot more than one shot, without manual reloading, by a single
6 and continuous held pull of the trigger;

7 (2) "semiautomatic weapon" means a repeating
8 rifle, shotgun or pistol, regardless of barrel or overall
9 length, that uses a portion of the energy of a firing cartridge
10 or shell to extract the fired cartridge case or spent shell and
11 chamber the next round and that requires a separate pull of the
12 trigger to fire each cartridge or shell; and

13 (3) "weapon conversion device" means a part or
14 combination of parts designed and intended to convert a
15 semiautomatic weapon into a fully automatic weapon."