HOUSE BILL 979

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Thomas A. Anderson

AN ACT

RELATING TO DEADLY WEAPONS; ALLOWING JUDGES TO CARRY FIREARMS IN THE COURTHOUSE.

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

Section 1. Section 30-7-2 NMSA 1978 (being Laws 1963, Chapter 303, Section 7-2, as amended) is amended to read:

"30-7-2. UNLAWFUL CARRYING OF A DEADLY WEAPON.--

A. Unlawful carrying of a deadly weapon consists of carrying a concealed loaded firearm or any other type of deadly weapon anywhere, except in the following cases:

(1) in the person's residence or on real property belonging to him as owner, lessee, tenant or licensee;

(2) in a private automobile or other private means of conveyance, for lawful protection of the person's or another's person or property;

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1   (3)   by a peace officer in accordance with the

2   policies of his law enforcement agency who is certified

3   pursuant to the Law Enforcement Training Act;

4   (4)   by a peace officer in accordance with the

5   policies of his law enforcement agency who is employed on a

6   temporary basis by that agency and who has successfully

7   completed a course of firearms instruction prescribed by the

8   New Mexico law enforcement academy or provided by a certified

9   firearms instructor who is employed on a permanent basis by a

10   law enforcement agency; [or]

11   (5)   by a person in possession of a valid

12   concealed handgun license issued to him by the department of

13   public safety pursuant to the provisions of the Concealed

14   Handgun Carry Act; or

15   (6)   by a judge in the courthouse if he has

16   successfully completed a course of firearms instruction

17   prescribed by the New Mexico law enforcement academy or

18   provided by a certified firearms instructor who is employed on

19   a permanent basis by a law enforcement agency.

20   B.   Nothing in this section shall be construed to

21   prevent the carrying of any unloaded firearm.

22   C.   Whoever commits unlawful carrying of a deadly

23   weapon is guilty of a petty misdemeanor."

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