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## FISCAL IMPACT REPORT

SPONSOR: SCONC DATE TYPED: 3/17/03 HB

SHORT TITLE: Firearms on University Premises SB 901/SCONCS

ANALYST: Maloy

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
	NFI		See Narrative		

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

Responses Received From  
 Commission on Higher Education  
 New Mexico State University Police

### SUMMARY

#### Synopsis of Bill

The Senate Conservation Committee Substitute for Senate Bill 901 makes it a criminal offense to unlawfully carry a firearm on university premises. Violation of this law would constitute a fourth degree felony.

Lawful carrying of a firearm is limited to the following:

- A peace officer,
- University security personnel,
- A student, instructor or other university-authorized personnel who are engaged in army, navy, marine corps or air force reserve officer training corps programs, or a state-authorized hunter safety training program,
- A person conducting or participating in a university-approved program, class or other activity involving the carrying of a firearm,
- A person older than 19 years of age on university premises in a private automobile or other private means of conveyance for lawful protection of the person's or another's person or property.

“University premises” means the buildings and grounds of a university, including playing fields and parking areas on which university or university-related activities are conducted. In addition, the proposed law would also apply to any other public buildings or grounds that are not university property, but on which university-related and sanctioned activities are performed.

The effective date of the provisions of this act would be July 1, 2003.

### Significant Issues

1. The bill specifically identifies the universities to which this new law would apply. These include:
  - University of New Mexico,
  - New Mexico State University,
  - New Mexico Institute of Mining and Technology,
  - New Mexico Highlands University,
  - Eastern New Mexico University, and
  - Western New Mexico University.
2. College personnel, college sponsored activities on non-university premises / non-public buildings, and community college premises *seem* to be excluded from protection offered in this bill.

Is the term “public” in this instance intended to address state or local government ownership of the buildings, or is it intended to mean a place where members of the general public congregate?

### **FISCAL IMPLICATIONS**

There are no direct fiscal implications related to SB 901/SCONCS. However, there may be secondary costs to the state, including costs for the courts, public defender’s office, district attorney’s office and the department of corrections if there were to be a significant number of violations of this new provision.

### **OTHER SUBSTANTIVE ISSUES**

The Commission on Higher Education references Chapter 30, Article 7, “Weapons and Explosives”, and notes that Senate Bill 901 is similar to 30-7-2.1, which applies to “any public elementary, secondary, junior high or high school...under the supervision of a local school board.” SB 901/SCONCS expands coverage to designated public universities. Left without coverage are the public colleges.

### **AMENDMENTS**

The Commission on Higher Education asks: “Should SB901/SCONCS be amended to include the public colleges of the State of New Mexico?”