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SENATE BILL 111

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Stuart Ingle

AN ACT

RELATING TO CONCEALED HANDGUNS; ALLOWING CONCEALED HANDGUNS IN AN ESTABLISHMENT THAT SELLS ALCOHOLIC BEVERAGES FOR CONSUMPTION OFF THE PREMISES.

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

Section 1. Section 30-7-3 NMSA 1978 (being Laws 1975, Chapter 149, Section 1, as amended) is amended to read:

"30-7-3. UNLAWFUL CARRYING OF A FIREARM IN LICENSED LIQUOR ESTABLISHMENTS.--

A. Unlawful carrying of a firearm in an establishment licensed to dispense alcoholic beverages consists of carrying a loaded or unloaded firearm on any premises licensed by the regulation and licensing department for the dispensing of alcoholic beverages except:

- (1) by a law enforcement officer in the lawful

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1 discharge of [~~his~~] the officer's duties;

2 (2) by the owner, lessee, tenant or operator
3 of the licensed premises or [~~his~~] the owner's, lessee's,
4 tenant's or operator's agents, including privately employed
5 security personnel during the performance of their duties;

6 (3) by a person carrying a concealed handgun
7 and in possession of a valid concealed handgun license for that
8 gun pursuant to the Concealed Handgun Carry Act; provided that
9 the licensed establishment does not sell alcoholic beverages
10 for consumption on the premises;

11 [~~(3)~~] (4) by a person in that area of the
12 licensed premises usually and primarily rented on a daily or
13 short-term basis for sleeping or residential occupancy,
14 including hotel or motel rooms;

15 [~~(4)~~] (5) by a person on that area of a
16 licensed premises primarily [~~utilized~~] used for vehicular
17 traffic or parking; or

18 [~~(5)~~] (6) for the purpose of temporary
19 display, provided that the firearm is:

20 (a) made completely inoperative before
21 it is carried onto the licensed premises and remains
22 inoperative while it is on the licensed premises; and

23 (b) under the control of the licensee or
24 an agent of the licensee while the firearm is on the licensed
25 premises.

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B. Whoever commits unlawful carrying of a firearm in an establishment licensed to dispense alcoholic beverages is guilty of a fourth degree felony."

Section 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2007.