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FISCAL IMPACT REPORT

ORIGINAL DATE 1/27/2007

SPONSOR Neville LAST UPDATED _____ HB _____

SHORT TITLE Concealed Handguns in Certain Businesses SB 168

ANALYST Schuss

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

Duplicates: SB111

SOURCES OF INFORMATION

LFC Files

Responses Received From

Attorney General's Office (AGO)

Department of Public Safety (DPS)

SUMMARY

Synopsis of Bill

Senate Bill 168 amends NMSA 1978, § 30-7-3 to permit persons licensed under the Concealed Handgun Carry Act to carry a concealed handgun into an establishment licensed to dispense alcohol beverages provided that this establishment does not sell alcoholic beverages for consumption on the premises.

SIGNIFICANT ISSUES

The Attorney General's Office (AGO) notes that a person with a concealed weapon carry permit may not currently bring a concealed weapon into an establishment licensed by RLD that sells alcoholic beverages for consumption on the premises.

The Department of Public Safety (DPS) states that this legislation attempts to address questions/complaints from the public pertaining to carrying a firearm in any place that sells/serves alcohol. Often, individuals do not know if this applies to a convenience store, for instance. Many

individuals assume they can carry into stores that sell package alcohol, but clearly not into a bar. As it stands, people who do carry into a store that sells package alcohol are committing a 4th degree felony.

DUPLICATION

Duplicates Senate Bill 111.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The DPS states that a person may unknowingly, without criminal intent, commit a 4th degree felony by carrying a firearm into a convenience store to pay for gas.

POSSIBLE QUESTIONS

The Department of Public Safety notes the following questions:

What about licensees from other states whose permits NM recognizes? NM currently recognizes concealed carry permits from 20 other states. Amendment does not appear to address these out-of-state permit holders that are traveling through NM or living in NM. Proposed change will not apply to individuals that carry openly as NM law allows?

BS/sb