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HOUSE BILL 140

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Nate Gentry

AN ACT

RELATING TO CONCEALED HANDGUNS; ELIMINATING THE TWO-YEAR
REFRESHER FIREARMS TRAINING COURSE REQUIRED FOR LICENSEES.

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

SECTION 1. Section 29-19-6 NMSA 1978 (being Laws 2003,
Chapter 255, Section 6, as amended) is amended to read:

"29-19-6. ~~[APPEAL]~~ LICENSE ISSUANCE--LICENSE RENEWAL--
[REFRESHER FIREARMS TRAINING COURSE] LOST OR STOLEN LICENSE--
SUSPENSION OR REVOCATION OF LICENSE.--

A. Pursuant to rules adopted by the department, the
department, within thirty days after receiving a completed
application for a concealed handgun license and the results of
a national criminal background check on the applicant, shall:

(1) issue a concealed handgun license to an
applicant; or

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1 (2) deny the application on the grounds that
2 the applicant failed to qualify for a concealed handgun license
3 pursuant to the provisions of the Concealed Handgun Carry Act.

4 B. Information relating to an applicant or to a
5 licensee received by the department or any other law
6 enforcement agency is confidential and exempt from public
7 disclosure unless an order to disclose information is issued by
8 a court of competent jurisdiction. The information shall be
9 made available by the department to a state or local law
10 enforcement agency upon request by the agency.

11 C. A concealed handgun license issued by the
12 department shall include:

- 13 (1) a color photograph of the licensee;
14 (2) the licensee's name, address and date
15 of birth;
16 (3) the expiration date of the concealed
17 handgun license; and
18 (4) the category and the largest caliber of
19 handgun that the licensee is licensed to carry, with a
20 statement that the licensee is licensed to carry smaller
21 caliber handguns but shall carry only one concealed handgun at
22 any given time.

23 D. A licensee shall notify the department within
24 thirty days regarding a change of the licensee's name or
25 permanent address. A licensee shall notify the department

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1 within ten days if the licensee's concealed handgun license is
2 lost, stolen or destroyed.

3 E. If a concealed handgun license is lost, stolen
4 or destroyed, the license is invalid and the licensee may
5 obtain a duplicate license by furnishing the department a
6 notarized statement that the original license was lost, stolen
7 or destroyed and paying a reasonable fee. If the license is
8 lost or stolen, the licensee shall file a police report with a
9 local law enforcement agency and include the police case number
10 in the notarized statement.

11 F. A licensee may renew a concealed handgun license
12 by submitting to the department:

13 (1) a completed renewal form, under penalty of
14 perjury, designed and provided by the department;

15 (2) a payment of a seventy-five-dollar
16 (\$75.00) renewal fee; and

17 (3) a certificate of completion of a four-hour
18 refresher firearms training course approved by the department.

19 G. The department shall conduct a national criminal
20 records check of a licensee seeking to renew a license. A
21 concealed handgun license shall not be renewed more than sixty
22 days after it has expired. A licensee who fails to renew a
23 concealed handgun license within sixty days after it has
24 expired may apply for a new concealed handgun license pursuant
25 to the provisions of the Concealed Handgun Carry Act.

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1 ~~[H. A licensee shall complete a two-hour refresher~~
2 ~~firearms training course two years after the issuance of an~~
3 ~~original or renewed license. The refresher course shall be~~
4 ~~approved by the department and shall be taken twenty-two to~~
5 ~~twenty-six months after the issuance of an original or renewed~~
6 ~~license. A certificate of completion shall be submitted to the~~
7 ~~department no later than thirty days after completion of the~~
8 ~~course.~~

9 ~~F.]~~ H. The department shall suspend or revoke a
10 concealed handgun license if:

11 (1) the licensee provided the department with
12 false information on the application form or renewal form for a
13 concealed handgun license;

14 (2) the licensee did not satisfy the criteria
15 for issuance of a concealed handgun license at the time the
16 license was issued; or

17 (3) subsequent to receiving a concealed
18 handgun license, the licensee violated a provision of the
19 Concealed Handgun Carry Act."

20 **SECTION 2. EFFECTIVE DATE.**--The effective date of the
21 provisions of this act is July 1, 2011.