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HOUSE BILL 578

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

Stephen Easley

AN ACT

RELATING TO FIREARMS; BANNING FIREARMS FROM THE STATE CAPITOL;
PROVIDING EXEMPTIONS; PROVIDING A PENALTY.

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

SECTION 1. A new section of Chapter 30, Article 7 NMSA
1978 is enacted to read:

"~~[NEW MATERIAL]~~ UNLAWFUL CARRYING OF A FIREARM ON STATE
CAPITOL PREMISES--EXEMPTIONS--NOTICE--PENALTY.--

A. Unlawful carrying of a firearm in the state
capitol consists of carrying a firearm in the state capitol
except by:

(1) a law enforcement officer, whether on duty
or off duty;

(2) legislative security personnel pursuant to
policies adopted by the New Mexico legislative council;

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1 (3) active duty members of the United States
2 armed services or the New Mexico national guard when the
3 carrying of a firearm is in the course of their official
4 duties; and

5 (4) the governor and the lieutenant governor.

6 B. Subsection A of this section shall not apply to
7 persons who, with the permission of the director of the
8 legislative council service or the director's designee, are
9 carrying firearms for display purposes so long as such firearms
10 are not loaded and have a trigger lock that is engaged on the
11 firearm.

12 C. The legislative council service shall
13 conspicuously post notices at the state capitol that state that
14 it is unlawful to carry a firearm in the state capitol.

15 D. As used in this section:

16 (1) "law enforcement officer" means a federal,
17 state, tribal or municipal police officer, county sheriff,
18 deputy sheriff, conservation officer, motor transportation
19 enforcement officer or other federal, state, county or
20 municipal employee authorized by federal or state law to
21 enforce criminal statutes;

22 (2) "legislative security personnel" means a
23 person employed by the legislative council service to provide
24 security services at the state capitol and on the premises of
25 the state capitol; and

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1 (3) "state capitol" means the building in
2 which the legislature is housed and includes all buildings
3 under the exclusive control and custody of the New Mexico
4 legislative council pursuant to Section 2-3-4 NMSA 1978.

5 E. Whoever commits unlawful carrying of a firearm
6 in the state capitol is guilty of a petty misdemeanor."

7 SECTION 2. Section 29-19-8 NMSA 1978 (being Laws 2003,
8 Chapter 255, Section 8) is amended to read:

9 "29-19-8. LIMITATION ON LICENSE.--

10 A. Nothing in the Concealed Handgun Carry Act shall
11 be construed as allowing a licensee in possession of a valid
12 concealed handgun license to carry a concealed handgun into or
13 on premises where to do so would be in violation of state or
14 federal law.

15 B. Nothing in the Concealed Handgun Carry Act shall
16 be construed as allowing a licensee in possession of a valid
17 concealed handgun license to carry a concealed handgun on
18 school premises, as provided in Section 30-7-2.1 NMSA 1978.

19 C. Nothing in the Concealed Handgun Carry Act shall
20 be construed as allowing a licensee in possession of a valid
21 concealed handgun license to carry a concealed handgun on the
22 premises of a preschool.

23 D. Except for the governor and lieutenant governor,
24 nothing in the Concealed Handgun Carry Act shall be construed
25 as allowing a licensee in possession of a valid concealed

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1 handgun license to carry a concealed handgun in the state
2 capitol, as provided in Section 1 of this 2013 act."

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