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HOUSE BILL 129

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

Linda M. Trujillo

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO SCHOOL SAFETY; ALLOWING RETIRED PEACE OFFICERS AND
CONTRACT SECURITY GUARDS TO CARRY DEADLY WEAPONS ON SCHOOL
PREMISES; SPECIFYING SCHOOL SECURITY PERSONNEL THAT ARE ALLOWED
TO CARRY DEADLY WEAPONS ON SCHOOL PREMISES.

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

SECTION 1. Section 30-7-2.1 NMSA 1978 (being Laws 1987,
Chapter 232, Section 1, as amended) is amended to read:

"30-7-2.1. UNLAWFUL CARRYING OF A DEADLY WEAPON ON SCHOOL
PREMISES.--

A. Unlawful carrying of a deadly weapon on school
premises consists of carrying a deadly weapon on school
premises except by:

(1) a peace officer or a retired peace
officer;

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underscoring material = new
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1 (2) school security personnel;

2 (3) a student, instructor or other school-
3 authorized personnel engaged in army, navy, marine corps or air
4 force reserve officer training corps programs or state-
5 authorized hunter safety training instruction;

6 (4) a person conducting or participating in a
7 school-approved program, class or other activity involving the
8 carrying of a deadly weapon; [~~or~~]

9 (5) a person older than nineteen years of age
10 on school premises in a private automobile or other private
11 means of conveyance, for lawful protection of the person's or
12 another's person or property; or

13 (6) a contract school security guard
14 registered as a level three security guard and supervised
15 pursuant to the Private Investigations Act.

16 B. As used in this section:

17 (1) "school premises" means:

18 [~~(1)~~] (a) the buildings and grounds,
19 including playgrounds, playing fields and parking areas and any
20 school bus of any public elementary, secondary, junior high or
21 high school in or on which school or school-related activities
22 are being operated under the supervision of a local school
23 board; or

24 [~~(2)~~] (b) any other public buildings or
25 grounds, including playing fields and parking areas that are

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underscored material = new
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1 not public school property, in or on which public school-
2 related and sanctioned activities are being performed; and
3 (2) "school security personnel" means a person
4 employed by a school district, state agency or charter school
5 to act as armed school security in a school, with no other job
6 title or accompanying job duties, and includes retired or
7 active duty law enforcement officers employed as school
8 resource officers.

9 C. Whoever commits unlawful carrying of a deadly
10 weapon on school premises is guilty of a fourth degree felony."