

HOUSE CONSUMER AND PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 306

**56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

AN ACT

RELATING TO CRIME; PROHIBITING THE UNLAWFUL PURCHASE OF A  
FIREARM FOR ANOTHER.

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

SECTION 1. [NEW MATERIAL] UNLAWFUL PURCHASE OF A FIREARM  
FOR ANOTHER.--

A. Unlawful purchase of a firearm for another  
consists of a person who knowingly purchases or conspires to  
purchase any firearm for, on behalf of or at the request or  
demand of another person, knowing that the other person:

(1) is a felon; or

(2) intends to use, carry, possess, sell or  
otherwise transfer possession of the firearm in furtherance of  
any felony or misdemeanor.

B. Prosecution pursuant to this section shall not

.225189.1

underscoring material = new  
[bracketed material] = delete

1 prevent prosecution pursuant to any other section of the  
2 Criminal Code.

3 C. Whoever commits unlawful purchase of a firearm  
4 for another is guilty of a fourth degree felony and shall be  
5 sentenced in accordance with the provisions of the Criminal  
6 Sentencing Act.

7 D. As used in this section, "felon" means a person  
8 convicted of a felony offense by a court of the United States  
9 or any state or political subdivision, and:

10 (1) less than ten years have passed since the  
11 person completed serving a sentence or period of probation for  
12 the felony conviction, whichever is later;

13 (2) the person has not been pardoned for the  
14 felony conviction by the proper authority; and

15 (3) the person has not received a deferred  
16 sentence.