

LFC Requester:

Scott Sanchez

**AGENCY BILL ANALYSIS - 2026 REGULAR SESSION****WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO****[AgencyAnalysis.nmlegis.gov](https://agencyanalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto:billanalysis@dfa.nm.gov)*****(Analysis must be uploaded as a PDF)*****SECTION I: GENERAL INFORMATION***{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}***Date Prepared:** January 20, 2026*Check all that apply:***Bill Number:** House Bill 81Original ☒ Correction ☐Amendment ☐ Substitute ☐**Sponsor:** Rep. John Block, Stefani Lord  
and Randall T. Pettigrew**Short Title:** PERMITLESS CARRY OF  
FIREARMS**Agency Name  
and Code****Number:** 218 AOC**Person Writing** Patricia M. Galindo**Phone:** 505-670-2656 **Email** aocpmg@nmcourts.gov**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
None	None	N/A	N/A

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
None	None	None	N/A	N/A

(Parenthesis ( ) indicate revenue decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	N/A	N/A	N/A	N/A	N/A	N/A

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: N/A  
Duplicates/Relates to Appropriation in the General Appropriation Act - None

### **SECTION III: NARRATIVE**

#### **BILL SUMMARY**

Synopsis: House Bill 81 adds a new section to Chapter 30, Article 7 titled “Permitless Carry”. This new section states, “A person who is eighteen years of age or older and is not prohibited by federal or state law or a court order from possessing or carrying a firearm may carry a loaded firearm on the person’s own person. The carrying of the firearm may be concealed or open”.

House Bill 81 eliminates “firearms” and “concealed loaded firearm” from the following sections:

- 30-7-1 Carrying a Deadly Weapon
- 30-7-2 Unlawful Carrying of a Deadly Weapon
- 30-7-13 Carrying Weapons Prohibited

House Bill 81 also repeals Sections 30-7-2.2 through 30-7-3 NMSA 1978. These repealed sections include:

- 30-7-2.2 Unlawful possession of a handgun by a person
- 30-7-2.3 Seizure and forfeiture of a handgun possessed or transported by a person in violation of unlawful possession of a handgun by a person
- 30-7-2.4 Unlawful carrying of a firearm on university premises
- 30-7-3 Unlawful carrying of a firearm in licensed liquor establishments

HB 81 does not contain an effective date and would be effective on May 20, 2026, 90 days following adjournment of the Legislature, if signed into law.

**FISCAL IMPLICATIONS** – none identified.

#### **SIGNIFICANT ISSUES**

HB 81 would allow any person who is not prohibited under federal or state law to carry a firearm, either concealed or open. The Concealed Handgun Carry Act, Section 29-19-1 NMSA 1978, directs the Department of Public Safety to issue concealed handgun licenses since the Act became effective on July 1, 2003. While HB 81 does not reference the Concealed Carry Handgun Act, it seems that if this bill is passed it would render this Act unenforceable.

HB 81 also repeals Sections 30-7-2.2 through 30-7-3 NMSA 1978, which defines unlawful possession of a handgun by a person, allows seizure and forfeiture of handgun possessed or transported by a person, and makes it unlawful to carry a firearm on university premises and liquor establishments. As drafted, this legislation essentially removes all criminal liability for carrying a handgun, except on school premises under Section 30-7-2.1 NMSA 1978.

**PERFORMANCE IMPLICATIONS** - none identified.

**ADMINISTRATIVE IMPLICATIONS** – none identified.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP** – none identified.

**TECHNICAL ISSUES** – none.

**OTHER SUBSTANTIVE ISSUES** – none identified.

**ALTERNATIVES** – none.

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

**AMENDMENTS** – none.