

HOUSE BILL 196

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

INTRODUCED BY

Andrea Reeb

AN ACT

RELATING TO CRIME; INCREASING THE PENALTY FOR RECEIVING A STOLEN FIREARM.

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

SECTION 1. Section 30-16-11 NMSA 1978 (being Laws 1963, Chapter 303, Section 16-11, as amended) is amended to read:

"30-16-11. RECEIVING STOLEN PROPERTY--PENALTIES.--

A. Receiving stolen property means intentionally to receive, retain or dispose of stolen property knowing that it has been stolen or believing it has been stolen, unless the property is received, retained or disposed of with intent to restore it to the owner.

B. The requisite knowledge or belief that property has been stolen is presumed in the case of a dealer who:

(1) is found in possession or control of

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1 property stolen from two or more persons on separate occasions;

2 (2) acquires stolen property for a
3 consideration that the dealer knows is far below the property's
4 reasonable value. A dealer shall be presumed to know the fair
5 market value of the property in which the dealer deals; or

6 (3) is found in possession or control of five
7 or more items of property stolen within one year prior to the
8 time of the incident charged pursuant to this section.

9 C. For the purposes of this section:

10 (1) "dealer" means a person in the business of
11 buying or selling goods or commercial merchandise; and

12 (2) "stolen property" means any property
13 acquired by theft, larceny, fraud, embezzlement, robbery or
14 armed robbery.

15 D. Whoever commits receiving stolen property when
16 the value of the property is two hundred fifty dollars (\$250)
17 or less is guilty of a petty misdemeanor.

18 E. Whoever commits receiving stolen property when
19 the value of the property is over two hundred fifty dollars
20 (\$250) but not more than five hundred dollars (\$500) is guilty
21 of a misdemeanor.

22 F. Whoever commits receiving stolen property when
23 the value of the property is over five hundred dollars (\$500)
24 but not more than two thousand five hundred dollars (\$2,500) is
25 guilty of a fourth degree felony.

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G. Whoever commits receiving stolen property when the value of the property is over two thousand five hundred dollars (\$2,500) but not more than twenty thousand dollars (\$20,000) is guilty of a third degree felony.

H. Whoever commits receiving stolen property when the value of the property exceeds twenty thousand dollars (\$20,000) is guilty of a second degree felony.

I. Whoever commits receiving stolen property when the property is a firearm is guilty of a [fourth] third degree felony when its value is less than two thousand five hundred dollars (\$2,500)."

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