

underscored material = new
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HOUSE BILL 228

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

INTRODUCED BY

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AN ACT

RELATING TO CRIMINAL LAW; CREATING THE CRIME OF UNLAWFUL
CARRYING OF A FIREARM WHILE TRAFFICKING A CONTROLLED SUBSTANCE;
PROVIDING PENALTIES.

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 WHILE
TRAFFICKING A CONTROLLED SUBSTANCE.--

A. Unlawful carrying of a firearm while trafficking
a controlled substance consists of carrying a firearm while
trafficking a controlled substance in violation of the
provisions of Section 30-31-20 NMSA 1978. Whoever commits
unlawful carrying of a firearm while trafficking a controlled
substance is guilty of a third degree felony and shall be

.233076.1

1 sentenced pursuant to the provisions of Section 31-18-15 NMSA
2 1978.

3 B. As used in this section, "firearm" means any
4 weapon that will or is designed to or may readily be converted
5 to expel a projectile by the action of an explosion or the
6 frame or receiver of any such weapon."

7 SECTION 2. EFFECTIVE DATE.--The effective date of the
8 provisions of this act is July 1, 2026.

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