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SENATE BILL 17

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

INTRODUCED BY

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AN ACT

RELATING TO FIREARMS; ENACTING THE STOP ILLEGAL GUN TRADE AND  
EXTREMELY DANGEROUS WEAPONS ACT; REQUIRING DEALER SECURITY  
MEASURES TO PREVENT THEFT AND LOSS OF FIREARMS; PROVIDING A  
MINIMUM AGE FOR EMPLOYMENT AT A FIREARMS DEALER; REQUIRING  
DEALER MAINTENANCE OF RECORDS; REQUIRING DEALER REPORTING OF  
CRIME GUN TRACES, MULTIPLE FIREARM SALES, THEFTS AND LOSSES;  
PROHIBITING THE SALE OF EXTREMELY DANGEROUS WEAPONS; PROVIDING  
FOR INSPECTIONS; REQUIRING DEALERS TO POST LEGAL AND SAFETY  
NOTICES TO FIREARM PURCHASERS; 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] SHORT TITLE.--This act may be cited as the  
"Stop Illegal Gun Trade and Extremely Dangerous Weapons Act".

1           SECTION 2. A new section of Chapter 30, Article 7 NMSA  
2 1978 is enacted to read:

3           "[NEW MATERIAL] DEFINITIONS.--As used in the Stop Illegal  
4 Gun Trade and Extremely Dangerous Weapons Act:

5           A. ".50 caliber cartridge" means a cartridge in .50  
6 browning machine gun caliber, either by designation or actual  
7 measurement, that is capable of being fired from a centerfire  
8 rifle. ".50 caliber cartridge" does not include a memorabilia  
9 or display item that is filled with a permanent inert substance  
10 or that is otherwise permanently altered in a manner that  
11 prevents ready modification for use as live ammunition or  
12 shotgun ammunition with a caliber measurement that is equal to  
13 or greater than .50 caliber;

14           B. ".50 caliber rifle" means a centerfire rifle  
15 capable of firing a .50 caliber cartridge. ".50 caliber rifle"  
16 does not include an antique firearm, a shotgun that has a rifle  
17 barrel or a muzzle-loader that uses black powder for hunting or  
18 historical reenactments;

19           C. "antique firearm" has the meaning given to it in  
20 18 U.S.C. Section 921(a)(16);

21           D. "dealer" means a person or business in the state  
22 that holds a federal firearms license issued in accordance with  
23 18 U.S.C. Section 923(a)(3);

24           E. "department" means the department of public  
25 safety;

.232564.5

1 F. "detachable magazine" means an ammunition  
2 feeding device that is not attached to a firearm and may be  
3 removed from the firearm without rendering the firearm  
4 incapable of accepting a magazine;

5 G. "firearm" has the same meaning as in Section  
6 30-7-16 NMSA 1978;

7 H. "fixed magazine" means an ammunition feeding  
8 device contained in, or permanently attached to, a firearm in  
9 such a manner that the device cannot be removed without  
10 disassembly of the firearm action;

11 I. "gas-operated firearm" means any firearm that  
12 harnesses or traps a portion of the high-pressure gas from a  
13 fired cartridge to cycle the action using:

14 (1) a long-stroke piston, in which gas is  
15 vented from the barrel to a piston that is mechanically fixed  
16 to the bolt group and moves to extract the fired cartridge case  
17 and chamber the next cartridge;

18 (2) a short-stroke piston, in which gas is  
19 vented from the barrel to a piston that moves separately from  
20 the bolt group so that the energy is imparted through a gas  
21 piston to extract the fired cartridge case and chamber the next  
22 cartridge;

23 (3) a system that traps and vents gas from  
24 either the barrel or the chamber to directly strike or impinge  
25 the bolt, bolt carrier or slide assembly to extract the fired

.232564.5

1 cartridge case and chamber the next cartridge;

2 (4) a hybrid system that combines elements of  
3 a system described in Paragraph (3) of this subsection with a  
4 system described in Paragraph (1) or (2) of this subsection to  
5 capture gas vented from the barrel to extract the fired  
6 cartridge case and chamber the next cartridge; or

7 (5) a blowback-operated system that directly  
8 uses the expanding gases of the ignited propellant powder  
9 acting on the cartridge case to drive the breechblock or breech  
10 bolt rearward;

11 J. "gun show" means an event at which twenty-five  
12 or more firearms are on site and available for sale or transfer  
13 to the public;

14 K. "law enforcement agency" means the police  
15 department of any city or town, the sheriff's office of any  
16 county, the New Mexico state police division of the department  
17 of public safety, a district attorney's office in the state and  
18 the attorney general;

19 L. "law enforcement officer" means a public  
20 official or public officer vested by law with a duty to  
21 maintain public order or to make arrests;

22 M. "machine gun" has the same meaning as set forth  
23 in Section 5845(b) of the federal National Firearms Act and  
24 includes a semiautomatic firearm that has been modified in any  
25 way that approximates the action or rate of fire of a machine

.232564.5

1 gun;

2 N. "manufacturer" means a person or business in the  
3 state that holds a federal firearms license issued in  
4 accordance with 18 U.S.C. Section 923(a)(1);

5 O. "semiautomatic firearm" means a firearm that is  
6 not a machine gun and that, upon initiating the firing  
7 sequence, fires the first chambered cartridge and uses a  
8 portion of the energy of the firing cartridge to extract the  
9 expended cartridge case, chamber the next round and prepare the  
10 firing mechanism to fire again and requires a separate pull,  
11 release, push or initiation of the trigger to fire each  
12 cartridge. "Semiautomatic firearm" includes a semiautomatic  
13 rifle, semiautomatic shotgun or semiautomatic handgun;

14 P. "straw purchase" means the purchase, or attempt  
15 to purchase, of a firearm or ammunition for, on behalf of or  
16 for use by another person known or unknown. "Straw purchase"  
17 does not include a bona fide gift to a person who is not  
18 prohibited from possessing or receiving a firearm or  
19 ammunition; and

20 Q. "transaction" means the transfer of ownership of  
21 a firearm from a seller to a buyer."

22 SECTION 3. A new section of Chapter 30, Article 7 NMSA  
23 1978 is enacted to read:

24 "[NEW MATERIAL] REQUIRING DEALER SECURITY MEASURES TO  
25 PREVENT THEFT AND LOSS OF FIREARMS.--

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1           A. No later than July 1, 2026, the department, in  
2 collaboration with the attorney general, shall promulgate rules  
3 governing the physical security of dealer premises and  
4 inventory. The rules shall be effective beginning December 1,  
5 2026 and shall require:

6                   (1) installation and use of security alarm  
7 systems on dealer premises that meet quality and other  
8 standards established by the department. Eligible security  
9 alarm systems shall have the capacity to be monitored by a  
10 central station and shall provide protection and monitoring for  
11 all accessible openings and partial motion and sound detection  
12 at all other areas of the premises;

13                   (2) site hardening, including locks on doors  
14 and windows and other features. Features shall be designed to  
15 prevent unauthorized entry, which may include bars or grates,  
16 security screens and commercial-grade metal doors;

17                   (3) installation and use of video surveillance  
18 systems, including video recording devices at each point of  
19 sale and each entrance and exit to the premises, which shall be  
20 recorded from both the indoor and outdoor vantage point, and  
21 the dealer shall maintain such recordings for a period of not  
22 less than two years; and

23                   (4) other reasonable requirements, as  
24 determined by the department and the attorney general, to  
25 reduce the risk of burglaries at dealers' premises and the

.232564.5

1 theft of firearms in shipment to and from dealers' premises.

2 B. The department shall specify in rules which, if  
3 any, of the security measures identified in Subsection A of  
4 this section apply to gun shows."

5 SECTION 4. A new section of Chapter 30, Article 7 NMSA  
6 1978 is enacted to read:

7 "[NEW MATERIAL] MINIMUM AGE OF EMPLOYMENT--REQUIRING  
8 BACKGROUND CHECKS AND TRAINING FOR DEALER EMPLOYEES.--

9 A. A dealer shall not employ a person to handle,  
10 sell or deliver firearms unless the person is at least twenty-  
11 one years of age and is not prohibited from possessing a  
12 firearm under state, municipal, tribal or federal law. The  
13 department shall promulgate rules to address dealer employee  
14 criminal history checks no later than August 1, 2026. The  
15 rules shall direct dealers to use the national instant criminal  
16 background check system to determine eligibility for current  
17 and prospective dealer employees only if the use of the  
18 national instant criminal background check system is permitted  
19 by federal regulations.

20 B. A dealer shall complete the training developed  
21 by the department pursuant to Subsection C of this section and  
22 shall provide the training to all new employees within thirty  
23 days of employment and to all employees annually thereafter.  
24 Beginning December 1, 2026, no employee of any dealer shall  
25 participate in the sale or disposition of firearms unless that

.232564.5

1 person has first received the training required by this  
2 section. The department shall promulgate rules setting forth  
3 minimum requirements for the maintenance of records of the  
4 training no later than August 1, 2026.

5 C. No later than August 1, 2026, the department  
6 shall develop and make available to each dealer a training  
7 course in the conduct of firearm transfers, including:

8 (1) federal and state laws governing firearm  
9 transfers and transactions;

10 (2) how to recognize, identify, respond to and  
11 report straw purchases, illegal purchases and fraudulent  
12 activity;

13 (3) how to recognize, identify, respond to and  
14 report an individual who intends to use a firearm for unlawful  
15 purposes or for self-harm;

16 (4) how to prevent, respond to and report  
17 theft or burglary of firearms and ammunition;

18 (5) how to educate customers on gun safety  
19 practices, including the safe handling and storage of firearms  
20 and ammunition; and

21 (6) other topics the department deems  
22 necessary and appropriate."

23 SECTION 5. A new section of Chapter 30, Article 7 NMSA  
24 1978 is enacted to read:

25 "[NEW MATERIAL] REQUIRING DEALER MAINTENANCE OF RECORDS.--

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1                   A. A dealer shall:

2                   (1) establish and maintain a record of  
3 purchases, sales, acquisitions and dispositions, as required by  
4 27 CFR Section 478.125. The record shall, at a minimum,  
5 include the make, model, caliber or gauge, manufacturer's name  
6 and serial number of all firearms that are purchased, sold,  
7 acquired or disposed of not later than one business day after  
8 the firearms' purchase, sale, acquisition or disposition. The  
9 records shall be maintained securely to prevent loss of the  
10 records due to fire, theft or flood. If a record is maintained  
11 in a physical form, the record shall be backed up monthly. If  
12 a record is an electronic-based record system, it shall be  
13 backed up on an external server at the close of each business  
14 day;

15                   (2) retain all federal bureau of alcohol,  
16 tobacco, firearms and explosives form 4473 records on the  
17 dealer's premises for as long as the dealer's business is in  
18 operation. The records shall be stored in a secure container  
19 designed to prevent loss by fire, theft or flood;

20                   (3) account for all firearms acquired but not  
21 yet disposed of in a monthly inventory check, which shall be  
22 maintained in a secure location;

23                   (4) maintain records of all criminal traces  
24 initiated by the federal bureau of alcohol, tobacco, firearms  
25 and explosives for six years;

.232564.5

1 (5) maintain and make available at any time to  
2 law enforcement agencies and to the manufacturer of a firearm  
3 or the manufacturer's designee firearm disposition information,  
4 including the serial numbers of firearms sold, dates of sale  
5 and identities of purchasers; and

6 (6) permit any law enforcement officer to  
7 inspect the records required to be maintained pursuant to this  
8 section during business hours.

9 B. Information contained in the records required  
10 pursuant to this section shall be confidential, is exempt from  
11 the Inspection of Public Records Act and shall not be disclosed  
12 except to a law enforcement agency acting in the performance of  
13 the law enforcement agency's duties.

14 C. If a dealer discontinues business operations and  
15 is succeeded by a new dealer in the state, the records required  
16 to be kept pursuant to this section shall be delivered to the  
17 successor dealer. Where discontinuance of the business is  
18 absolute, the records shall be delivered, in a format to be  
19 prescribed by the department, to the department within thirty  
20 days after the business discontinuance. The department shall  
21 permanently retain the records."

22 SECTION 6. A new section of Chapter 30, Article 7 NMSA  
23 1978 is enacted to read:

24 "[NEW MATERIAL] REQUIRING DEALER REPORTING OF CRIME GUN  
25 TRACES, MULTIPLE FIREARM SALES, THEFTS AND LOSSES.--

.232564.5

1           A. A dealer shall report transactions involving  
2 more than one firearm within five business days to the  
3 department.

4           B. A dealer shall report thefts and losses of  
5 firearms within forty-eight hours of discovery of the theft or  
6 loss to the department.

7           C. A dealer shall promptly respond to a request  
8 from a law enforcement agency or officer, including trace  
9 requests and requests for documents and records, within  
10 twenty-four hours after learning of the request.

11           D. A dealer shall provide quarterly reporting to  
12 the department and the attorney general, in a format to be  
13 prescribed by the department and the attorney general no later  
14 than June 1, 2026, concerning trace requests, including at a  
15 minimum:

16                   (1) the total number of trace requests  
17 received, including the make and model of the firearm and date  
18 of sale; and

19                   (2) whether the dealer was inspected by the  
20 federal bureau of alcohol, tobacco, firearms and explosives  
21 within the past ten years and copies of any reports of  
22 violations or letters received from the federal bureau of  
23 alcohol, tobacco, firearms and explosives.

24           E. Whenever a dealer or manufacturer located in the  
25 state is inspected by the federal bureau of alcohol, tobacco,

1 firearms and explosives, the dealer or manufacturer shall  
2 notify the department of the inspection no later than twenty-  
3 four hours after completion of the inspection and shall send to  
4 the department a copy of any reports of violations or letters  
5 received from the federal bureau of alcohol, tobacco, firearms  
6 and explosives no later than twenty-four hours after receiving  
7 the reports or letters, which shall be permanently retained by  
8 the department in a format to be determined by the department.

9 F. A dealer shall, no later than March 31 of each  
10 calendar year, provide an annual report to the department, in a  
11 form specified by the department, containing the following  
12 information for January 1 to December 31 of the preceding  
13 calendar year:

14 (1) the number of firearms sold or  
15 transferred, listed by make and model of the firearm;

16 (2) the number of approved federal bureau of  
17 alcohol, tobacco, firearms and explosives forms 4473 completed;  
18 and

19 (3) any other information required by the  
20 department."

21 SECTION 7. A new section of Chapter 30, Article 7 NMSA  
22 1978 is enacted to read:

23 "[NEW MATERIAL] PROHIBITING THE SALE OF EXTREMELY  
24 DANGEROUS WEAPONS.--

25 A. Beginning on July 1, 2026, a dealer shall not

.232564.5

1 sell or transfer any of the following firearms, ammunition or  
2 devices to a person who is not licensed pursuant to 18 U.S.C.  
3 Section 923, nor shall a dealer process a background check  
4 pursuant to Section 30-7-7.1 NMSA 1978 for the transfer of any  
5 of the following firearms, ammunition and devices between  
6 parties that are not licensed pursuant to 18 U.S.C. Section  
7 923:

8 (1) a detachable magazine that holds more than  
9 ten rounds of ammunition;

10 (2) a .50 caliber rifle;

11 (3) a .50 caliber cartridge;

12 (4) a gas-operated semiautomatic firearm that  
13 can accept a detachable magazine;

14 (5) a gas-operated semiautomatic firearm with  
15 a fixed magazine that holds more than ten rounds of ammunition;  
16 or

17 (6) a machine gun.

18 B. The provisions of Subsection A of this section  
19 do not apply to the sale of:

20 (1) a firearm designed to accept, and capable  
21 of operating only with, .22 or less caliber rimfire ammunition;

22 (2) an antique firearm; or

23 (3) a firearm that:

24 (a) is a single-shot rifle, shotgun or  
25 handgun;

.232564.5

1 (b) is a breech-loading rifle, shotgun  
2 or handgun with a capacity not to exceed two rounds of  
3 ammunition;

4 (c) is a muzzleloading rifle, shotgun or  
5 handgun;

6 (d) is a bolt-action rifle, shotgun or  
7 handgun;

8 (e) is a lever-action or pump-action  
9 rifle or shotgun;

10 (f) is a single- or double-action  
11 semiautomatic handgun that uses recoil to cycle the action of  
12 the handgun; or

13 (g) has a fixed magazine with a capacity  
14 not to exceed ten rounds of ammunition.

15 C. The provisions of Subsection A of this section  
16 do not apply to the sale or transfer of a firearm or device to:

17 (1) a law enforcement agency in the state, the  
18 United States armed forces, the New Mexico national guard or  
19 the New Mexico state defense force;

20 (2) an Indian nation, tribe or pueblo or an  
21 agency or political subdivision thereof;

22 (3) a licensee under Title 1 of the federal  
23 Atomic Energy Act of 1954 or its contractor for purposes of  
24 establishing and maintaining an on-site physical security  
25 protection system and security organization required by federal

.232564.5

1 law or the transfer to a site; or

2 (4) a dealer, distributor or manufacturer  
3 licensed under 18 U.S.C. Section 923."

4 SECTION 8. A new section of Chapter 30, Article 7 NMSA  
5 1978 is enacted to read:

6 "[NEW MATERIAL] INSPECTIONS AND COMPLIANCE--PENALTY.--

7 A. A dealer shall annually certify to the  
8 department that the dealer has complied with all of the  
9 requirements of the Stop Illegal Gun Trade and Extremely  
10 Dangerous Weapons Act. The department shall, by rule,  
11 determine the form and content of the annual certification.

12 B. The department shall promulgate rules requiring  
13 periodic inspections of a dealer and the dealer's premises, at  
14 least once every three years, during regular and usual business  
15 hours, by the department to determine compliance with the  
16 provisions of the Stop Illegal Gun Trade and Extremely  
17 Dangerous Weapons Act. A dealer shall provide the department  
18 with full access to the dealer's premises for inspections.

19 C. The department shall prepare an annual report  
20 providing information on the number of dealers inspected  
21 annually, the number of dealers found to be in compliance with  
22 the requirements of the Stop Illegal Gun Trade and Extremely  
23 Dangerous Weapons Act, the number of dealers found to have  
24 failed to comply with the requirements of that act, the number  
25 of trace requests submitted to dealers, the number of firearms

.232564.5

1 recovered from crime scenes or criminal investigations in New  
2 Mexico that were sold by dealers and other information that the  
3 department deems necessary and appropriate. Beginning June 1,  
4 2027, the department shall prepare and publish the annual  
5 report. The department shall also make all annual reports  
6 publicly available on the department's website.

7 D. A dealer that knowingly falsifies information or  
8 contents in the compliance report required by this section is  
9 guilty of a misdemeanor."

10 SECTION 9. A new section of Chapter 30, Article 7 NMSA  
11 1978 is enacted to read:

12 "[NEW MATERIAL] REQUIRING DEALERS TO POST LEGAL AND SAFETY  
13 NOTICES TO FIREARM PURCHASERS.--

14 A. A retail firearm dealer shall conspicuously post  
15 at each point of purchase where firearms may be purchased a  
16 sign, in a format to be prescribed by the department, with the  
17 following notices:

18 (1) "Failure to securely store a firearm may  
19 result in criminal penalties if a child gains access to the  
20 firearm, pursuant to Section 30-7-4.1 NMSA 1978. Keep firearms  
21 and ammunition separate and locked up. Use tamper-resistant  
22 trigger locks, lockboxes or safes.";

23 (2) "Most firearm sales in New Mexico,  
24 including those between private parties, require a background  
25 check. Consult Section 30-7-7.1 NMSA 1978 before selling or

.232564.5



1 buying any firearm.";

2 (3) "Purchasing a firearm for someone who  
3 intends to commit a crime or who has a felony record is a  
4 federal crime and a fourth degree felony pursuant to Section  
5 30-7-7.2 NMSA 1978. Don't buy a gun for someone who can't.";  
6 and

7 (4) "If you or a loved one is experiencing  
8 distress or depression or is contemplating suicide, please call  
9 the National Suicide Prevention Lifeline at 1-800-273-TALK  
10 (8255).".

11 B. The signs required pursuant to this section  
12 shall be posted at all entrances of a gun show."

13 SECTION 10. A new section of Chapter 30, Article 7 NMSA  
14 1978 is enacted to read:

15 "[NEW MATERIAL] PENALTIES.--Unless otherwise specified, a  
16 person who violates a provision of Section 7 of the Stop  
17 Illegal Gun Trade and Extremely Dangerous Weapons Act or the  
18 rules promulgated pursuant to that act is guilty of a  
19 misdemeanor. Unless otherwise specified, a person who violates  
20 a provision of Section 3, 4, 5, 6, 8 or 9 of the Stop Illegal  
21 Gun Trade and Extremely Dangerous Weapons Act or the rules  
22 promulgated pursuant to that act shall be subject to a civil  
23 penalty of two hundred dollars (\$200) for a first violation and  
24 a civil penalty of up to one thousand dollars (\$1,000) for each  
25 subsequent violation."

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