

SENATE BILL 167

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

INTRODUCED BY

Antonio Maestas

AN ACT

RELATING TO PUBLIC SAFETY; CHANGING THE PENALTY FOR THE CRIME
OF UNLAWFUL CARRYING OF A DEADLY WEAPON ON SCHOOL PREMISES FROM
A FOURTH DEGREE FELONY TO A THIRD DEGREE FELONY; CLARIFYING THE
DEFINITION OF "SCHOOL PREMISES".

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

SECTION 1. Section 30-7-2.1 NMSA 1978 (being Laws 1987,
Chapter 232, Section 1, as amended) is amended to read:

"30-7-2.1. UNLAWFUL CARRYING OF A DEADLY WEAPON ON SCHOOL
PREMISES.--

A. Unlawful carrying of a deadly weapon on school
premises consists of carrying a deadly weapon on school
premises except by:

(1) a peace officer;

(2) school security personnel;

.232862.1GLG

1 (3) a student, instructor or other
2 school-authorized personnel engaged in army, navy, marine corps
3 or air force reserve officer training corps programs or
4 state-authorized hunter safety training instruction;

5 (4) a person conducting or participating in a
6 school-approved program, class or other activity involving the
7 carrying of a deadly weapon; or

8 (5) a person older than nineteen years of age
9 on school premises in a private automobile or other private
10 means of conveyance, for lawful protection of the person's or
11 another's person or property.

12 B. As used in this section, "school premises"
13 means:

14 (1) the buildings and grounds, including
15 playgrounds, playing fields and parking areas and any school
16 bus, of any public ~~[elementary, secondary, junior high or high]~~
17 school in or on which school or school-related activities are
18 being operated under the ~~[supervision]~~ authority of a local
19 school board or governing body of a charter school; or

20 (2) any other public buildings or grounds,
21 including playing fields and parking areas, that are not public
22 school property and in or on which public school-related and
23 sanctioned activities are being performed.

24 C. Whoever commits unlawful carrying of a deadly
25 weapon on school premises is guilty of a ~~[fourth]~~ third degree

.232862.1GLG

underscored material = new
[bracketed material] = delete

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

felony."

- 3 -