

1 SENATE BILL 167

2 **57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026**

3 INTRODUCED BY

4 Antonio Maestas

10 AN ACT

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

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

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

19 "30-7-2.1. UNLAWFUL CARRYING OF A DEADLY WEAPON ON SCHOOL  
20 PREMISES.--

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

24 (1) a peace officer;  
25 (2) school security personnel;

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

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

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

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

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

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

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

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