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HOUSE BILL 588

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

John A. Heaton

AN ACT

RELATING TO CONCEALED HANDGUNS; ALLOWING CONCEALED HANDGUNS IN
AN ESTABLISHMENT THAT SELLS ALCOHOLIC BEVERAGES FOR
CONSUMPTION OFF THE PREMISES.

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

Section 1. Section 30-7-3 NMSA 1978 (being Laws 1975,
Chapter 149, Section 1, as amended) is amended to read:

"30-7-3. UNLAWFUL CARRYING OF A FIREARM IN LICENSED
LIQUOR ESTABLISHMENTS. --

A. Unlawful carrying of a firearm in an
establishment licensed to dispense alcoholic beverages
consists of carrying a loaded or unloaded firearm on any
premises licensed by the regulation and licensing department
for the dispensing of alcoholic beverages except:

(1) by a law enforcement officer in the

underscored material = new
[bracketed material] = delete

1 lawful discharge of ~~[his]~~ the officer's duties;

2 (2) by the owner, lessee, tenant or operator
3 of the licensed premises or ~~[his]~~ the owner's, lessee's,
4 tenant's or operator's agents, including privately employed
5 security personnel during the performance of their duties;

6 (3) by a person carrying a concealed handgun
7 who is in possession of a valid concealed handgun license for
8 that gun pursuant to the Concealed Handgun Carry Act; provided
9 that the licensed establishment does not sell alcoholic
10 beverages for consumption on the premises;

11 ~~[(3)]~~ (4) by a person in that area of the
12 licensed premises usually and primarily rented on a daily or
13 short-term basis for sleeping or residential occupancy,
14 including hotel or motel rooms;

15 ~~[(4)]~~ (5) by a person on that area of a
16 licensed premises primarily ~~[utilized]~~ used for vehicular
17 traffic or parking; or

18 ~~[(5)]~~ (6) for the purpose of temporary
19 display, provided that the firearm is:

20 (a) made completely inoperative before
21 it is carried onto the licensed premises and remains
22 inoperative while it is on the licensed premises; and

23 (b) under the control of the licensee
24 or an agent of the licensee while the firearm is on the
25 licensed premises.

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B. Whoever commits unlawful carrying of a firearm in an establishment licensed to dispense alcoholic beverages is guilty of a fourth degree felony. "

Section 2. EFFECTIVE DATE. -- The effective date of the provisions of this act is July 1, 2007.

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