

HOUSE CONSUMER AND PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 1114

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

AN ACT

RELATING TO WEAPONS; CREATING THE NEW CRIMINAL OFFENSES OF  
UNLAWFUL CARRYING OF AN UNREGISTERED FIREARM, UNLAWFUL ALTERING  
OF A FIREARM SERIAL NUMBER AND UNLAWFUL SALE, POSSESSION OR  
TRANSPORTATION OF A FIREARM WITH AN ALTERED SERIAL NUMBER;  
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 AN UNREGISTERED  
FIREARM.--

A. Unlawful carrying of an unregistered firearm  
consists of a person carrying any of the following loaded  
firearms anywhere if it is not lawfully registered to the  
person pursuant to the federal National Firearms Act:

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underscoring material = new  
[bracketed material] = delete

1 (1) a shotgun or a weapon made from a shotgun  
2 that has a barrel or barrels of less than eighteen inches in  
3 length;

4 (2) a rifle or a weapon made from a rifle that  
5 has a barrel or barrels of less than sixteen inches in length;

6 (3) a weapon made from a shotgun or rifle if  
7 the weapon has an overall length of less than twenty-six  
8 inches;

9 (4) a machine gun; or

10 (5) a firearm silencer.

11 B. Whoever commits unlawful carrying of an  
12 unregistered firearm is guilty of a fourth degree felony.

13 C. This section does not apply to a law enforcement  
14 officer who carries a firearm that is subject to the provisions  
15 of this section in the lawful discharge of the officer's  
16 duties.

17 D. As used in this section, "machine gun" means a  
18 weapon that shoots, is designed to shoot or is readily restored  
19 to shoot automatically more than one shot, without manual  
20 reloading, by a single function of the trigger."

21 Section 2. A new section of Chapter 30, Article 7 NMSA  
22 1978 is enacted to read:

23 "[NEW MATERIAL] UNLAWFUL ALTERING OF A FIREARM SERIAL  
24 NUMBER--UNLAWFUL SALE, POSSESSION OR TRANSPORTATION OF A  
25 FIREARM WITH AN ALTERED SERIAL NUMBER.--

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