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HOUSE BILL 440

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

W. C. "Dub" Williams

AN ACT

**RELATING TO DEADLY WEAPONS; PERMITTING ACTIVE OR RETIRED STATE
AND FEDERAL JUDGES TO CARRY CONCEALED DEADLY WEAPONS AFTER
SUCCESSFULLY COMPLETING A FIREARMS INSTRUCTION COURSE.**

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

**Section 1. Section 30-7-2 NMSA 1978 (being Laws 1963,
Chapter 303, Section 7-2, as amended) is amended to read:**

"30-7-2. UNLAWFUL CARRYING OF A DEADLY WEAPON. --

**A. Unlawful carrying of a deadly weapon consists
of carrying a concealed loaded firearm or any other type of
deadly weapon anywhere, except in the following cases:**

**(1) in the person's residence or on real
property belonging to him as owner, lessee, tenant or
licensee;**

(2) in a private automobile or other private

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1 means of conveyance, for lawful protection of the person's or
2 another's person or property;

3 (3) by a peace officer in accordance with the
4 policies of his law enforcement agency who is certified
5 pursuant to the Law Enforcement Training Act; [~~or~~]

6 (4) by a peace officer in accordance with the
7 policies of his law enforcement agency who is employed on a
8 temporary basis by that agency and who has successfully
9 completed a course of firearms instruction prescribed by the
10 New Mexico law enforcement academy or provided by a certified
11 firearms instructor who is employed on a permanent basis by a
12 law enforcement agency; or

13 (5) by either an active or retired state or
14 federal judge who has successfully completed a course of
15 firearms instruction for judges provided by the New Mexico law
16 enforcement academy, the national law enforcement training
17 center or a certified firearms instructor teaching a course
18 prescribed by the New Mexico law enforcement academy or the
19 national law enforcement training center. The administrative
20 office of the courts shall maintain records and issue
21 appropriate identification to judges who have completed the
22 prescribed training.

23 B. Nothing in this section shall be construed to
24 prevent the carrying of any unloaded firearm.

25 C. Whoever commits unlawful carrying of a deadly

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weapon is guilty of a petty misdemeanor. "

1 FORTY-FOURTH LEGISLATURE
2 FIRST SESSION, 1999
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6 February 19, 1999
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8 Mr. Speaker:
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10 Your JUDICIARY COMMITTEE, to whom has been referred
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12 HOUSE BILL 440
13

14 has had it under consideration and reports same with
15 recommendation that it DO PASS, amended as follows:

- 16
- 17 1. On page 1, line 11, strike "OR RETIRED".
 - 18 2. On page 2, line 13, strike "or retired",
19

20 and thence referred to the APPROPRIATIONS AND FINANCE
21 COMMITTEE.
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1 FORTY-FOURTH LEGISLATURE
2 FIRST SESSION, 1999

3 HJ/ HB 440

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4
5 Respectfully submitted,

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8 _____
9 R. David Pederson, Chairman

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11 Adopted _____

Not Adopted _____

12 (Chief Clerk)

(Chief Clerk)

13
14 Date _____

15
16 The roll call vote was 8 For 0 Against

17 Yes: 8

18 Excused: Garcia, Luna, Rios, Sanchez

19 Absent: None

20
21
22 J:\99BillsWP\H0440

1 FORTY- FOURTH LEGISLATURE
2 FIRST SESSION, 1999

3
4 March 1, 1999

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6
7 Mr. Speaker:

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9 Your APPROPRIATIONS AND FINANCE COMMITTEE, to
10 whom has been referred

11 HOUSE BILL 440, as amended

12
13 has had it under consideration and reports same with
14 recommendation that it DO PASS.

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16 Respectfully submitted,

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21 Max Coll, Chairman
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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

Page 7

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 8 For 6 Against

Yes: 8

No: Abeyta, Coll, Garcia, MH, Picraux, Taylor, JP, Varela

Excused: Heaton, Salazar, Watchman

Absent: None

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