

1 SENATE BILL 283

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

3 INTRODUCED BY

4 William E. Sharer

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9  
10 AN ACT

11 RELATING TO CONCEALED HANDGUN CARRY LICENSEES; PROVIDING  
12 EXCEPTIONS TO REQUIREMENTS OF THE CONCEALED HANDGUN CARRY ACT  
13 FOR RESERVE LAW ENFORCEMENT OFFICERS.

14  
15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 SECTION 1. Section 29-19-2 NMSA 1978 (being Laws 2003,  
17 Chapter 255, Section 2) is amended to read:

18 "29-19-2. DEFINITIONS.--As used in the Concealed Handgun  
19 Carry Act:

20 A. "applicant" means a person seeking a license to  
21 carry a concealed handgun;

22 B. "caliber" means the diameter of the bore of a  
23 handgun;

24 C. "category" means whether a handgun is  
25 semiautomatic or not semiautomatic;

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1           D. "concealed handgun" means a loaded handgun that  
2 is not visible to the ordinary observations of a reasonable  
3 person;

4           E. "department" means the department of public  
5 safety;

6           F. "handgun" means a firearm that will, is designed  
7 to or may readily be converted to expel a projectile by the  
8 action of an explosion and the barrel length of which, not  
9 including a revolving, detachable or magazine breech, does not  
10 exceed twelve inches; ~~and~~

11           G. "licensee" means a person holding a valid  
12 concealed handgun license issued to ~~him~~ the person by the  
13 department; and

14           H. "reserve law enforcement officer" means a  
15 volunteer or a temporary or part-time employee of a state or  
16 local law enforcement agency who is accepted by that agency as  
17 a reserve law enforcement officer after receiving a background  
18 check and completing a basic law enforcement training program  
19 certified by the director of the New Mexico law enforcement  
20 academy."

21           SECTION 2. Section 29-19-14 NMSA 1978 (being Laws 2005,  
22 Chapter 242, Section 7, as amended) is amended to read:

23           "29-19-14. CURRENT AND RETIRED LAW ENFORCEMENT OFFICERS,  
24 RESERVE LAW ENFORCEMENT OFFICERS AND NEW MEXICO MOUNTED PATROL  
25 MEMBERS.--

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1           A. ~~[An]~~ Except as provided in Subsections C, D and  
2 E of this section for retired law enforcement officers, an  
3 application fee, a renewal fee and a firearms training course  
4 are not required for an applicant or licensee who is:

5                   (1) a current or retired certified law  
6 enforcement officer pursuant to the Law Enforcement Training  
7 Act; ~~[or]~~

8                   (2) a current member of the New Mexico mounted  
9 patrol who has successfully completed a New Mexico law  
10 enforcement academy basic law enforcement training program for  
11 New Mexico mounted patrol members pursuant to Section 29-6-4.1  
12 NMSA 1978; or

13                   (3) a current reserve law enforcement officer  
14 who provides to the department a certification from a law  
15 enforcement agency that the officer is a volunteer with or  
16 employee of that agency.

17           B. A law enforcement officer, reserve law  
18 enforcement officer or New Mexico mounted patrol member shall  
19 submit to the department two full sets of fingerprints and a  
20 color photograph of the law enforcement officer, reserve law  
21 enforcement officer or New Mexico mounted patrol member. The  
22 department shall conduct an appropriate check of available  
23 records and shall forward the fingerprints to the federal  
24 bureau of investigation for a national criminal background  
25 check.

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1 C. A retired law enforcement officer is not  
2 required to submit an application fee or a renewal fee if:

3 (1) the officer was a certified law  
4 enforcement officer pursuant to the Law Enforcement Training  
5 Act for at least fifteen years prior to retirement; and

6 (2) the retirement is in good standing as  
7 shown by a letter from the agency from which the officer  
8 retired.

9 D. A retired law enforcement officer who has been  
10 retired ten years or less is not required to complete a  
11 firearms training course.

12 E. A retired law enforcement officer who has been  
13 retired for more than ten years shall be required to complete a  
14 firearms training course. The officer shall be allowed to  
15 attend any local law enforcement agency's firearms  
16 qualification course; provided that the officer supplies the  
17 officer's own ammunition, handgun, targets and range equipment.  
18 A local law enforcement agency shall not be liable under the  
19 Tort Claims Act for providing a firearms training course to a  
20 retired law enforcement officer pursuant to this subsection.

21 F. A retired law enforcement officer's concealed  
22 handgun license shall have printed on the license "retired  
23 police officer" and shall be valid for a period of five years."