

1 SENATE BILL 328

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

3 INTRODUCED BY

4 Gay G. Kernan and Daniel A. Ivey-Soto

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10 AN ACT

11 RELATING TO DOMESTIC ABUSE; ENACTING A NEW SECTION OF THE
12 CONCEALED HANDGUN CARRY ACT; AUTHORIZING TEMPORARY CONCEALED
13 HANDGUN LICENSES FOR VICTIMS OF FAMILY VIOLENCE; REQUIRING
14 BACKGROUND CHECKS; AMENDING SECTIONS OF THE CRIMINAL CODE.

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

17 SECTION 1. A new section of the Concealed Handgun Carry
18 Act is enacted to read:

19 "[NEW MATERIAL] TEMPORARY CONCEALED HANDGUN LICENSE--
20 PROTECTIVE ORDER--TIME LIMITATIONS.--

21 A. Upon the issuance of an order of protection
22 pursuant to Section 40-13-5 NMSA 1978 of the Family Violence
23 Protection Act, a victim of domestic abuse may obtain a
24 temporary concealed handgun license if the order prohibits the
25 respondent from possessing a firearm for the duration of the

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1 order.

2 B. The temporary concealed handgun license shall be
3 valid for forty-five days from the date of issuance and shall
4 be accepted in the same manner as a concealed handgun license
5 issued pursuant to the Concealed Handgun Carry Act.

6 C. To receive a temporary concealed handgun license
7 as described in Subsection A of this section, the applicant
8 shall:

9 (1) submit the application required by the
10 department in writing or electronically;

11 (2) meet all requirements for a concealed
12 handgun license except for a firearms training course; and

13 (3) not be required to bear the cost of a fee
14 for the application, processing or issuance of the temporary
15 license.

16 D. The temporary concealed handgun license is valid
17 only in New Mexico and shall not be considered as satisfying
18 the requirements of reciprocity with any other state's
19 concealed firearm provisions.

20 E. Failure to carry a copy of the injunction or the
21 protective order at all times the person is carrying the
22 concealed handgun shall render the temporary concealed handgun
23 license invalid.

24 F. The department shall give priority to a
25 background check of the applicant and conduct that background

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1 check pursuant to Subsection D of Section 29-19-5 NMSA 1978
2 prior to the issuance of a temporary concealed handgun
3 license."

4 SECTION 2. EFFECTIVE DATE.--The effective date of the
5 provisions of this act is July 1, 2017.

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