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**56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024**

INTRODUCED BY

Peter Wirth and Reena Szczepanski

AN ACT

RELATING TO ELECTIONS; PROHIBITING THE POSSESSION OF A FIREARM  
WITHIN CERTAIN DISTANCES OF A POLLING PLACE DURING AN ELECTION;  
PROVIDING EXCEPTIONS; PROVIDING A PENALTY.

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

SECTION 1. A new section of Chapter 1, Article 20 NMSA  
1978 is enacted to read:

"[NEW MATERIAL] UNLAWFUL POSSESSION OF A FIREARM AT A  
POLLING PLACE.--

A. Unlawful possession of a firearm at a polling  
place consists of possession of a loaded or unloaded firearm by  
any person, other than a certified law enforcement officer in  
performance of the officer's official duties or other security  
personnel with written authorization of the appropriate  
municipal or county election official, within:

.226687.2

underscored material = new  
~~[bracketed material] = delete~~

1 (1) one hundred feet of the door through which  
2 voters may enter to vote at a school building in which a  
3 polling place is located on election day;

4 (2) one hundred feet of the door through which  
5 voters may enter to vote at the office of the county clerk, an  
6 alternate voting location, a mobile voting site or any location  
7 used as a polling place on election day that is not a school;  
8 or

9 (3) fifty feet of a postal collection box or a  
10 monitored secured container.

11 B. A person conducting lawful, non-election-related  
12 business nearer than one hundred feet from the door through  
13 which voters may enter to vote or nearer than fifty feet from a  
14 postal collection box or monitored secured container is not  
15 guilty of unlawful possession of a firearm at a polling place.

16 C. A person who commits unlawful possession of a  
17 firearm at a polling place is guilty of a petty misdemeanor and  
18 shall be sentenced pursuant to Section 31-19-1 NMSA 1978.

19 D. For the purposes of this section, "firearm"  
20 means a weapon that will or is designed to or may readily be  
21 converted to expel a projectile by the action of an explosion;  
22 the frame or receiver of any such weapon; or any firearm  
23 muffler or firearm silencer."