

1 SENATE BILL 232

2 **49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010**

3 INTRODUCED BY

4 Rod Adair

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10 AN ACT

11 RELATING TO FIREARMS; EXTENDING THE TIME PERIOD FOR CONCEALED
12 HANDGUN LICENSES; REMOVING THE FIREARMS REFRESHER COURSE
13 REQUIREMENT; REDUCING THE FEE FOR RENEWAL; AMENDING THE
14 CONCEALED HANDGUN CARRY ACT.

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

17 Section 1. Section 29-19-3 NMSA 1978 (being Laws 2003,
18 Chapter 255, Section 3, as amended) is amended to read:

19 "29-19-3. DATE OF LICENSURE--PERIOD OF LICENSURE.--
20 Effective January 1, 2004, the department is authorized to
21 issue concealed handgun licenses to qualified applicants.
22 Original and renewed concealed handgun licenses shall be valid
23 for a period of [~~four~~] ten years from the date of issuance,
24 unless the license is suspended or revoked."

25 Section 2. Section 29-19-6 NMSA 1978 (being Laws 2003,

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1 Chapter 255, Section 6, as amended) is amended to read:

2 "29-19-6. APPEAL--LICENSE RENEWAL--~~[REFRESHER FIREARMS~~
3 ~~TRAINING COURSE]~~ SUSPENSION OR REVOCATION OF LICENSE.--

4 A. Pursuant to rules adopted by the department, the
5 department, within thirty days after receiving a completed
6 application for a concealed handgun license and the results of
7 a national criminal background check on the applicant, shall:

8 (1) issue a concealed handgun license to an
9 applicant; or

10 (2) deny the application on the grounds that
11 the applicant failed to qualify for a concealed handgun license
12 pursuant to the provisions of the Concealed Handgun Carry Act.

13 B. Information relating to an applicant or to a
14 licensee received by the department or any other law
15 enforcement agency is confidential and exempt from public
16 disclosure unless an order to disclose information is issued by
17 a court of competent jurisdiction. The information shall be
18 made available by the department to a state or local law
19 enforcement agency upon request by the agency.

20 C. A concealed handgun license issued by the
21 department shall include:

22 (1) a color photograph of the licensee;

23 (2) the licensee's name, address and date
24 of birth;

25 (3) the expiration date of the concealed

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1 handgun license; and

2 (4) the category and the largest caliber of
3 handgun that the licensee is licensed to carry, with a
4 statement that the licensee is licensed to carry smaller
5 caliber handguns but shall carry only one concealed handgun at
6 any given time.

7 D. A licensee shall notify the department within
8 thirty days regarding a change of the licensee's name or
9 permanent address. A licensee shall notify the department
10 within ten days if the licensee's concealed handgun license is
11 lost, stolen or destroyed.

12 E. If a concealed handgun license is lost, stolen
13 or destroyed, the license is invalid and the licensee may
14 obtain a duplicate license by furnishing the department a
15 notarized statement that the original license was lost, stolen
16 or destroyed and paying a reasonable fee. If the license is
17 lost or stolen, the licensee shall file a police report with a
18 local law enforcement agency and include the police case number
19 in the notarized statement.

20 F. A licensee may renew a concealed handgun license
21 by submitting to the department:

22 (1) a completed renewal form, under penalty of
23 perjury, designed and provided by the department; and

24 (2) a payment of a [~~seventy-five-dollar~~
25 ~~(\$75.00)~~] twenty-five-dollar (\$25.00) renewal fee [~~and~~

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1 ~~(3) a certificate of completion of a four-hour~~
2 ~~refresher firearms training course approved by the department].~~

3 G. The department shall conduct a national criminal
4 records check of a licensee seeking to renew a license. A
5 concealed handgun license shall not be renewed more than sixty
6 days after it has expired. A licensee who fails to renew a
7 concealed handgun license within sixty days after it has
8 expired may apply for a new concealed handgun license pursuant
9 to the provisions of the Concealed Handgun Carry Act.

10 ~~[H. A licensee shall complete a two-hour refresher~~
11 ~~firearms training course two years after the issuance of an~~
12 ~~original or renewed license. The refresher course shall be~~
13 ~~approved by the department and shall be taken twenty-two to~~
14 ~~twenty-six months after the issuance of an original or renewed~~
15 ~~license. A certificate of completion shall be submitted to the~~
16 ~~department no later than thirty days after completion of the~~
17 ~~course.~~

18 ~~F.]~~ H. The department shall suspend or revoke a
19 concealed handgun license if:

20 (1) the licensee provided the department with
21 false information on the application form or renewal form for a
22 concealed handgun license;

23 (2) the licensee did not satisfy the criteria
24 for issuance of a concealed handgun license at the time the
25 license was issued; or

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1 (3) subsequent to receiving a concealed
2 handgun license, the licensee violated a provision of the
3 Concealed Handgun Carry Act."

4 Section 3. Section 29-19-14 NMSA 1978 (being Laws 2005,
5 Chapter 242, Section 7) is amended to read:

6 "29-19-14. CURRENT AND RETIRED LAW ENFORCEMENT
7 OFFICERS.--

8 A. An application fee, a renewal fee and a firearms
9 training course are not required for an applicant or licensee
10 who is a certified law enforcement officer pursuant to the Law
11 Enforcement Training Act.

12 B. A retired law enforcement officer is not
13 required to submit an application fee or a renewal fee if:

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

17 (2) the retirement is in good standing as
18 shown by a letter from the agency from which the officer
19 retired.

20 C. A retired law enforcement officer who has been
21 retired ten years or less is not required to complete a
22 firearms training course.

23 D. A retired law enforcement officer who has been
24 retired for more than ten years shall be required to complete a
25 firearms training course. The officer shall be allowed to

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1 attend any local law enforcement agency's firearms
2 qualification course; provided that the officer supplies the
3 officer's own ammunition, handgun, targets and range equipment.

4 A local law enforcement agency shall not be liable under the
5 Tort Claims Act for providing a firearms training course to a
6 retired law enforcement officer pursuant to this subsection.

7 E. A retired law enforcement officer's concealed
8 handgun license shall have printed on the license "retired
9 police officer" and shall be valid for a period of [~~five~~
10 fifteen years."

11 Section 4. EFFECTIVE DATE.--The effective date of the
12 provisions of this act is July 1, 2010.

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