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SENATE BILL 200

52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016

INTRODUCED BY

Michael S. Sanchez

AN ACT

RELATING TO CONCEALED HANDGUN LICENSES; REVISING THE
CIRCUMSTANCES UNDER WHICH CONCEALED HANDGUN LICENSES MAY BE
SUSPENDED.

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

SECTION 1. Section 29-19-6 NMSA 1978 (being Laws 2003,
Chapter 255, Section 6, as amended) is amended to read:

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

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

- (1) issue a concealed handgun license to an

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1 applicant; or

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

5 B. Information relating to an applicant or to a
6 licensee received by the department or any other law
7 enforcement agency is confidential and exempt from public
8 disclosure unless an order to disclose information is issued by
9 a court of competent jurisdiction. The information shall be
10 made available by the department to a state or local law
11 enforcement agency upon request by the agency.

12 C. A concealed handgun license issued by the
13 department shall include:

14 (1) a color photograph of the licensee;

15 (2) the licensee's name, address and date
16 of birth;

17 (3) the expiration date of the concealed
18 handgun license; and

19 (4) the category and the largest caliber of
20 handgun that the licensee is licensed to carry, with a
21 statement that the licensee is licensed to carry smaller
22 caliber handguns but shall carry only one concealed handgun at
23 any given time.

24 D. A licensee shall notify the department within
25 thirty days regarding a change of the licensee's name or

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1 permanent address. A licensee shall notify the department
2 within ten days if the licensee's concealed handgun license is
3 lost, stolen or destroyed.

4 E. If a concealed handgun license is lost, stolen
5 or destroyed, the license is invalid and the licensee may
6 obtain a duplicate license by furnishing the department a
7 notarized statement that the original license was lost, stolen
8 or destroyed and paying a reasonable fee. If the license is
9 lost or stolen, the licensee shall file a police report with a
10 local law enforcement agency and include the police case number
11 in the notarized statement.

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

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

16 (2) a payment of a seventy-five-dollar
17 (\$75.00) renewal fee; and

18 (3) a certificate of completion of a four-hour
19 refresher firearms training course approved by the department.

20 G. The department shall conduct a national criminal
21 records check of a licensee seeking to renew a license. A
22 concealed handgun license shall not be renewed more than sixty
23 days after it has expired. A licensee who fails to renew a
24 concealed handgun license within sixty days after it has
25 expired may apply for a new concealed handgun license pursuant

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1 to the provisions of the Concealed Handgun Carry Act.

2 H. A licensee shall complete a two-hour refresher
3 firearms training course two years after the issuance of an
4 original or renewed license. The refresher course shall be
5 approved by the department and shall be taken twenty-two to
6 twenty-six months after the issuance of an original or renewed
7 license. A certificate of completion shall be submitted to the
8 department no later than thirty days after completion of the
9 course.

10 I. The department shall suspend or revoke a
11 concealed handgun license only if:

12 (1) the licensee provided the department with
13 false information on the application form or renewal form for a
14 concealed handgun license;

15 (2) the licensee did not satisfy the criteria
16 for issuance of a concealed handgun license at the time the
17 license was issued; ~~[or]~~

18 (3) subsequent to receiving a concealed
19 handgun license, the licensee violated a provision of the
20 Concealed Handgun Carry Act; or

21 (4) subsequent to receiving a concealed
22 handgun license, the licensee:

23 (a) is convicted of a felony pursuant to
24 the laws of New Mexico, another state, the United States or any
25 other jurisdiction;

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1 (b) receives a conditional discharge, a
2 diversion or a deferment or is convicted of, pleads guilty to
3 or enters a plea of nolo contendere to a misdemeanor offense
4 involving a crime of violence;

5 (c) is convicted of a misdemeanor
6 offense involving driving while under the influence of
7 intoxicating liquor or drugs;

8 (d) is convicted of a misdemeanor
9 offense involving the possession or abuse of a controlled
10 substance; or

11 (e) is convicted of a misdemeanor
12 offense involving assault, battery or battery against a
13 household member."

14 **SECTION 2. APPLICABILITY.**--The provisions of this act
15 apply to a person who holds a concealed handgun license and who
16 was convicted of a misdemeanor or felony offense as provided in
17 Subsection I of Section 1 of this act on, before or after July
18 1, 2016.

19 **SECTION 3. EFFECTIVE DATE.**--The effective date of the
20 provisions of this act is July 1, 2016.