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HOUSE BILL 306

56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023

INTRODUCED BY

T. Ryan Lane and Andrea Reeb and Raymundo Lara

AN ACT

RELATING TO CRIME; PROHIBITING THE UNLAWFUL PURCHASE OF A
FIREARM FOR ANOTHER.

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

SECTION 1. [NEW MATERIAL] UNLAWFUL PURCHASE OF A FIREARM
FOR ANOTHER.--

A. Unlawful purchase of a firearm for another
consists of a person who knowingly purchases or conspires to
purchase any firearm for, on behalf of or at the request or
demand of another person, knowing that the other person:

(1) is a felon;

(2) is otherwise prohibited from possessing a
firearm by any law of the United States, any other state or a
political subdivision thereof;

(3) intends to use, carry, possess, sell or

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1 otherwise transfer possession of the firearm in furtherance of
2 any felony or misdemeanor; or

3 (4) intends to sell or otherwise transfer
4 possession of the firearm to any other person prohibited by
5 law.

6 B. Prosecution pursuant to this section shall not
7 prevent prosecution pursuant to any other section of the
8 Criminal Code.

9 C. Whoever commits unlawful purchase of a firearm
10 for another is guilty of a fourth degree felony and shall be
11 sentenced in accordance with the provisions of the Criminal
12 Sentencing Act.

13 D. As used in this section, "felon" means a person
14 convicted of a felony offense by a court of the United States
15 or any state or political subdivision, and:

16 (a) less than ten years have passed since the
17 person completed serving a sentence or period of probation for
18 the felony conviction, whichever is later;

19 (b) the person has not been pardoned for the
20 felony conviction by the proper authority; and

21 (c) the person has not received a deferred
22 sentence.