

1 AN ACT
2 RELATING TO FIREARMS; MAKING AN EXEMPTION TO UNLAWFUL
3 POSSESSION OF A FIREARM AT A POLLING PLACE FOR COMMISSIONED
4 LAW ENFORCEMENT OFFICERS.

5
6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

7 SECTION 1. Section 1-20-24 NMSA 1978 (being Laws 2024,
8 Chapter 50, Section 1) is amended to read:

9 "1-20-24. UNLAWFUL POSSESSION OF A FIREARM AT A POLLING
10 PLACE.--

11 A. Unlawful possession of a firearm at a polling
12 place consists of possession of a loaded or unloaded firearm
13 by any person within:

14 (1) one hundred feet of the door through
15 which voters may enter to vote at a school building in which
16 a polling place is located while early voting is in progress
17 or on election day;

18 (2) one hundred feet of the door through
19 which voters may enter to vote at the office of the county
20 clerk, an alternate voting location, a mobile voting site or
21 any location used as a polling place while early voting is in
22 progress or on election day that is not a school; or

23 (3) fifty feet of a monitored secured
24 container as used in Subsection E of Section 1-6-9 NMSA 1978,
25 beginning twenty-eight days before an election through

1 election day.

2 B. The provisions of Subsection A of this section
3 do not apply to:

4 (1) a certified law enforcement officer in
5 performance of the officer's official duties;

6 (2) a law enforcement officer who is
7 certified pursuant to the Law Enforcement Training Act acting
8 in accordance with the policies of the officer's law
9 enforcement agency;

10 (3) a commissioned law enforcement officer
11 with the power to arrest in performance of the officer's
12 official duties;

13 (4) a commissioned law enforcement officer
14 with the power to arrest acting in accordance with the
15 policies of the officer's law enforcement agency;

16 (5) a person in a private automobile or
17 other private means of conveyance; or

18 (6) a person carrying a concealed firearm
19 who is in possession of a valid concealed handgun license for
20 that firearm pursuant to the Concealed Handgun Carry Act.

21 C. A person conducting lawful, non-election-
22 related business nearer than one hundred feet from the door
23 through which voters may enter to vote or nearer than fifty
24 feet from a monitored secured container is not guilty of
25 unlawful possession of a firearm at a polling place.

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

4 E. For the purposes of this section, "firearm"
5 means a weapon that will or is designed to or may readily be
6 converted to expel a projectile by the action of an explosion,
7 or the frame or receiver of any such weapon."_____

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