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SENATE BILL 171

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

INTRODUCED BY

William P. Soules

AN ACT

RELATING TO FIREARMS; PROHIBITING THE SALE OF AUTOMATIC
FIREARMS.

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

SECTION 1. A new section of Chapter 30, Article 7 NMSA
1978 is enacted to read:

"[NEW MATERIAL] RESTRICTIONS ON AUTOMATIC FIREARMS.--

A. As used in this section:

(1) "assault pistol" means a semiautomatic
pistol that accepts a detachable magazine and has two or more
of the following characteristics:

(a) an ammunition magazine that attaches
to the pistol outside the pistol grip;

(b) a threaded barrel capable of
accepting a barrel extender, flash suppressor, forward hand

1 grip or silencer;

2 (c) a shroud that is attached to or
3 partially or completely encircles the barrel and permits the
4 shooter to hold the firearm with the second hand without being
5 burned;

6 (d) a manufactured weight of fifty
7 ounces or more when the pistol is unloaded;

8 (e) a centerfire pistol with an overall
9 length of twelve inches or more; or

10 (f) a semiautomatic version of an
11 automatic firearm;

12 (2) "automatic firearm" means any firearm that
13 shoots, is designed to shoot or can be readily modified to
14 shoot automatically more than one shot, without a manual
15 reloading, by a single function of the trigger. The term shall
16 also include the frame or receiver of any such firearm, any
17 part designed and intended solely and exclusively, or any
18 combination of parts designed and intended, for use in
19 converting a firearm into an automatic firearm and any
20 combination of parts from which an automatic firearm can be
21 assembled if the parts are in the possession or under the
22 control of a single person; and

23 (3) "semiautomatic" means the mode of
24 operation by which a firearm uses the energy of the explosive
25 in a fixed cartridge to extract a fired cartridge and chamber a

underscoring material = new
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1 fresh cartridge with each single pull of the trigger.

2 B. The manufacture, sale, barter, trade, gift,
3 transfer or acquisition of any of the following is prohibited:
4 assault pistols; automatic firearms; rifles with barrel lengths
5 less than sixteen inches; shotguns with barrel lengths less
6 than eighteen inches; mufflers, silencers or devices for
7 deadening or muffling the sound of discharged firearms; any
8 type of ammunition or any projectile component thereof coated
9 with teflon or any other similar coating designed primarily to
10 enhance its capabilities to penetrate metal or pierce
11 protective armor; and any type of ammunition or any projectile
12 component thereof designed or intended to explode or segment
13 upon impact with its target.

14 C. Any person who installs, removes or alters a
15 firearm part with intent to convert the firearm to an automatic
16 firearm shall be deemed to have manufactured an automatic
17 firearm in violation of Subsection B of this section.

18 D. Any person who violates the provisions of this
19 section is guilty of a fourth degree felony."