

1 HOUSE BILL 101
2 **57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

3 INTRODUCED BY
4 Andrea Reeb
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10 AN ACT

11 RELATING TO FIREARMS; MAKING AN EXEMPTION TO UNLAWFUL
12 POSSESSION OF A FIREARM AT A POLLING PLACE FOR COMMISSIONED LAW
13 ENFORCEMENT OFFICERS.
14

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

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

18 "1-20-24. UNLAWFUL POSSESSION OF A FIREARM AT A POLLING
19 PLACE.--

20 A. Unlawful possession of a firearm at a polling
21 place consists of possession of a loaded or unloaded firearm by
22 any person within:

23 (1) one hundred feet of the door through which
24 voters may enter to vote at a school building in which a
25 polling place is located while early voting is in progress or

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1 on election day;

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

7 (3) fifty feet of a monitored secured
8 container as used in Subsection E of Section 1-6-9 NMSA 1978,
9 beginning twenty-eight days before an election through election
10 day.

11 B. The provisions of Subsection A of this section
12 do not apply to:

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

15 (2) a law enforcement officer who is certified
16 pursuant to the Law Enforcement Training Act acting in
17 accordance with the policies of the officer's law enforcement
18 agency;

19 (3) a commissioned law enforcement officer
20 with the power to arrest in performance of the officer's
21 official duties;

22 (4) a commissioned law enforcement officer
23 with the power to arrest acting in accordance with the policies
24 of the officer's law enforcement agency;

25 [~~3~~] (5) a person in a private automobile or

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underscoring material = new
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1 other private means of conveyance; or

2 ~~[(4)]~~ (6) a person carrying a concealed
3 firearm who is in possession of a valid concealed handgun
4 license for that firearm pursuant to the Concealed Handgun
5 Carry Act.

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

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

14 E. For the purposes of this section, "firearm"
15 means a weapon that will or is designed to or may readily be
16 converted to expel a projectile by the action of an explosion,
17 or the frame or receiver of any such weapon."