HOUSE BILL 183

56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024

INTRODUCED BY

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AN ACT

RELATING TO CRIME; INCREASING THE PENALTY FOR NEGLIGENT USE OF
A DEADLY WEAPON TO A MISDEMEANOR FOR A FIRST OFFENSE AND A
FOURTH DEGREE FELONY FOR A SECOND OR SUBSEQUENT OFFENSE.

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

SECTION 1. Section 30-7-4 NMSA 1978 (being Laws 1963,
Chapter 303, Section 7-3, as amended) is amended to read:

"30-7-4. NEGLIGENT USE OF A DEADLY WEAPON.--

A. Negligent use of a deadly weapon consists of:

(1) discharging a firearm into any building or
vehicle or so as to knowingly endanger a person or [his] the
person's property;

(2) carrying a firearm while under the
influence of an intoxicant or narcotic;

(3) endangering the safety of another by

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1　　handling or using a firearm or other deadly weapon in a

2　　negligent manner; or

3　　　　　　　(4)　discharging a firearm within one hundred

4　　fifty yards of a dwelling or building, not including abandoned

5　　or vacated buildings on public lands during hunting seasons,

6　　without the permission of the owner or lessees thereof.

7　　　　　　B.　The provisions of Paragraphs (1), (3) and (4) of

8　　Subsection A of this section shall not apply to a peace officer

9　　or other public employee who is required or authorized by law

10　　to carry or use a firearm in the course of [his] the officer's

11　　or employee's employment and who carries, handles, uses or

12　　discharges a firearm while lawfully engaged in carrying out the

13　　duties of [his] that office or employment.

14　　　　　　C.　The exceptions from criminal liability provided

15　　for in Subsection B of this section shall not preclude or

16　　affect civil liability for the same conduct.

17　　　　　　D.　Whoever commits negligent use of a deadly weapon

18　　is guilty of a [petty] misdemeanor for a first offense and a

19　　fourth degree felony for a second or subsequent offense."

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