

1 HOUSE BILL 38  
2 57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

3 INTRODUCED BY  
4 Kathleen Gates

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10 AN ACT

11 RELATING TO CRIME; CREATING THE CRIME OF UNLAWFUL POSSESSION OF  
12 A WEAPON CONVERSION DEVICE; PROVIDING A PENALTY.

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

15 SECTION 1. A new section of Chapter 30, Article 7 NMSA  
16 1978 is enacted to read:

17 "[NEW MATERIAL] UNLAWFUL POSSESSION OF A WEAPON CONVERSION  
18 DEVICE--PENALTY.--

19 A. Unlawful possession of a weapon conversion  
20 device consists of a person knowingly having in that person's  
21 possession a weapon conversion device or knowingly transporting  
22 a weapon conversion device.

23 B. Each weapon conversion device found in violation  
24 of this section constitutes a separate offense.

25 C. A person who commits unlawful possession of a

.229193.1

underscoring material = new  
~~[bracketed material] = delete~~

1 weapon conversion device is guilty of a third degree felony.

2 D. As used in this section:

3 (1) "fully automatic weapon" means a weapon  
4 that shoots, is designed to shoot or can be readily restored to  
5 shoot more than one shot, without manual reloading, by a single  
6 and continuous held pull of the trigger;

7 (2) "semiautomatic weapon" means a repeating  
8 rifle, shotgun or pistol, regardless of barrel or overall  
9 length, that uses a portion of the energy of a firing cartridge  
10 or shell to extract the fired cartridge case or spent shell and  
11 chamber the next round and that requires a separate pull of the  
12 trigger to fire each cartridge or shell; and

13 (3) "weapon conversion device" means a part or  
14 combination of parts designed and intended to convert a  
15 semiautomatic weapon into a fully automatic weapon."

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