

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2013-27

INTRODUCED BY:

Cathy J. Pushe
David Cox

AN ORDINANCE

RELATING TO LARGE CAPACITY AMMUNITION FEEDING DEVICES; CREATING A
NEW ARTICLE 20-6 SFCC 1987 TO PROHIBIT THE TRANSFER, POSSESSION OR SALE
OF LARGE CAPACITY AMMUNITION FEEDING DEVICES IN THE CITY OF SANTA
FE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

Section 1. A new Article 20-6 SFCC 1987 is ordained to read:

20-6 [NEW MATERIAL] LARGE CAPACITY AMMUNITION FEEDING DEVICES.

Section 2. A new Section 20-6.1 SFCC 1987 is ordained to read:

20-6.1 [New Material] Legislative Findings. The governing body of the city of Santa Fe
finds that:

A. Large capacity ammunition magazines are designed to enable shooting mass numbers
of people quickly and efficiently without reloading. Such devices have been used in numerous mass
shootings, including Tucson, Virginia Tech, Fort Hood and Columbine, but they are not useful for
hunting or self defense.

1 B. New magazines containing more than ten rounds were banned under the Federal
2 Assault Weapons Act, but Congress did not renew the law in 2004, despite widespread support from
3 over 70% of Americans.

4 C. The Constitution of the State of New Mexico does not ban the regulation of large
5 capacity ammunition feeding devices.

6 **Section 3. A new Section 20-6.2 SFCC 1987 is ordained to read:**

7 **20-6.2 [NEW MATERIAL] Short Title.** Article 20-6 SFCC 1987 may be cited as the
8 “Large Capacity Ammunition Feeding Device Ordinance.”

9 **Section 4. A new Section 20-6.3 SFCC 1987 is ordained to read:**

10 **20-6.3 [NEW MATERIAL] Definitions.** As used in Article 20-6 SFCC 1987:

11 *Large capacity ammunition feeding device* means a magazine, belt, drum, feed strip, or
12 similar device that has a capacity of, or that can be readily restored or converted to accept, more than
13 10 rounds of ammunition; but does not include an attached tubular device designed to accept, and
14 capable of operating only with, .22 caliber rimfire ammunition.

15 **Section 5. A new Section 20-6.4 SFCC 1987 is ordained to read:**

16 **20-6.4 [NEW MATERIAL] Regulations for Large Capacity Ammunition Feeding**
17 **Devices.**

18 A. As of _____, 2013, the effective date of Article 20-6 SFCC 1987, it
19 shall be unlawful for a person to transfer, possess or sell a large capacity ammunition feeding device.

20 B. Paragraph A., above, shall not apply to:

21 (1) The possession of a large capacity ammunition feeding device otherwise
22 lawfully possessed within the municipal jurisdiction of the city of Santa Fe on or before
23 _____, the effective date of Article 20-6 SFCC 1987;

24 (2) A manufacture for, transfer to, or possession by the United States or a
25 department or agency of the United States or a State or a department, agency, or political

1 subdivision of a State, or a transfer to or possession by a law enforcement officer employed
2 by such an entity for purposes of law enforcement (whether on or off duty);

3 (3) A transfer to a licensee under title I of the Atomic Energy Act of 1954 for
4 purposes of establishing and maintaining an on-site physical protection system and security
5 organization required by Federal law, or possession by an employee or contractor of such a
6 licensee on-site for such purposes or off-site for purposes of licensee-authorized training or
7 transportation of nuclear materials;

8 (4) The possession, by an individual who is retired from service with a law
9 enforcement agency and is not otherwise prohibited from receiving ammunition, of a large
10 capacity ammunition feeding device transferred to the individual by the agency upon that
11 retirement; or

12 (5) A manufacture, transfer, or possession of a large capacity ammunition
13 feeding device by a licensed manufacturer or licensed importer for the purposes of testing or
14 experimentation authorized by the Attorney General.

15 **Section 6. A new Section 20-6.5 SFCC 1987 is ordained to read:**

16 **20-6.5 [NEW MATERIAL] Penalty.** Any person who knowingly violates Article 20-6
17 SFCC 1987 is guilty of a code violation and shall be sentenced pursuant to the provisions of Article
18 1-3 SFCC 1987. Each violation is a separate and distinct offense.

19 APPROVED AS TO FORM:

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21 _____

22 GENO ZAMORA, CITY ATTORNEY