

FIFTY-SIXTH LEGISLATURE  
FIRST SESSION, 2023

SB 428/a

March 5, 2023

Mr. President:

Your **HEALTH AND PUBLIC AFFAIRS COMMITTEE**, to whom has been referred

**SENATE BILL 428**

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 3, between lines 8 and 9, insert the following new subsections:

"D. "firearm accessory" means:

(1) any device specifically adapted to enable:

(a) the wearing or carrying about one's person of a firearm; or

(b) the storage or mounting in or on any conveyance of a firearm; and

(2) any attachment or device specifically adapted to be inserted into or affixed onto any firearm to enable, alter or improve the functioning or capabilities of the firearm;

E. "firearm part" means any component part of a firearm, including ammunition;".

2. Reletter the succeeding subsections accordingly.

3. On page 11, line 5, after "to", insert a colon and the subsection designation "A.".

4. On page 11, line 8, remove the brackets and the line through "and".

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5. On page 11, lines 9 and 10, strike "or which violate the laws of New Mexico or the United States,".

6. On page 11, line 10, after "Act", strike the remainder of the line, strike all of lines 11 through 25 and on page 12, strike all of line 1 and insert in lieu thereof "; or

B. any claims that meet the definition of qualified civil liability actions pursuant to 15 U.S.C. Sections 7901 through 7903, unless those claims:

(1) fall within the exceptions from the immunity granted in 15 U.S.C. Sections 7901 through 7903;

(2) allege and prove proximate cause resulting in harm;  
and

(3) establish that the actions or transactions giving rise to those claims occurred, in whole or in part, inside New Mexico; except that

C. nothing in this section shall be construed as a limitation on any civil action against any party not immunized from suit by the terms of 15 U.S.C. Sections 7901 through 7903 or any party that sells firearms, firearm parts or firearm accessories to residents of the state, but does not maintain a legal presence in any jurisdiction within the United States."",

and thence referred to the **JUDICIARY COMMITTEE**.

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Respectfully submitted,

\_\_\_\_\_  
Senator Gerald Ortiz y Pino, Chairman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 6 For 1 Against

Yes: 6

No: Gallegos

Excused: Ingle, Schmedes

Absent: None

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