

State of New Mexico
Senate

FIFTY-FOURTH LEGISLATURE
FIRST SESSION

March 6, 2019

SENATE FLOOR AMENDMENT number _____ to SENATE JUDICIARY COMMITTEE
SUBSTITUTE FOR SENATE
PUBLIC AFFAIRS COMMITTEE
SUBSTITUTE FOR SENATE BILL
328

Amendment sponsored by Senator Steven P. Neville

1. On pages 11 and 12, strike Subsection C in its entirety and insert in lieu thereof the following:

"C. A restrained party who has surrendered a firearm to a law enforcement agency pursuant to this section may direct the law enforcement agency to transfer the firearm to a federal firearms licensee or responsible third party who may lawfully possess firearms and who does not reside in the same household as the restrained party. The law enforcement agency shall, within three days of receiving a written request for a transfer of the firearm from the restrained party, transfer possession of the firearm to the federal firearms licensee or responsible third party designated by the restrained party."

2. On page 13, strike Subsection F in its entirety and insert in lieu thereof the following:

"F. If a person other than the restrained party claims ownership of a firearm surrendered or seized pursuant to an order of protection and that person is determined to be the lawful owner of the firearm, the firearm shall be returned to that person immediately after confirming, through a background check, that the person is eligible to lawfully possess and receive firearms."

3. On page 15, line 13, strike the closing quotation mark and between lines 13 and 14, insert the following:

.214820.3

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"N. A person who, in good faith, delivers a firearm in accordance with this section shall not be arrested, charged, prosecuted or otherwise penalized for having possessed the firearm if the evidence for the alleged violation of federal or state firearms law was gained as a result of the person's delivery of the firearm in compliance with this section."".

Steven P. Neville

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____