

FIFTY-SEVENTH LEGISLATURE
SECOND SESSION

PROPOSED AMENDMENT DIRECTED TO A COMMITTEE

February 17, 2026

Madam Chair:

I propose to the SENATE HEALTH AND PUBLIC AFFAIRS COMMITTEE the following amendments to

HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR
HOUSE BILL 13

1. On page 6, line 23, after "records", strike the remainder of the line, strike lines 24 and 25, and on page 7, strike line 1 and strike line 2 through the period and insert in lieu thereof:

". Within a time frame established by the commission, a member state shall require a criminal background check for a licensee seeking or applying for a compact privilege whose primary state of residence is that member state, by receiving the results of the federal bureau of investigation criminal record search, and shall use the results in making licensure decisions."

2. On page 10, line 11, before the period, insert ", in accordance with Paragraph (1) of this subsection".

3. On page 21, line 5, strike "and".

4. On page 21, line 8, strike the period and insert in lieu thereof a semicolon.

5. On page 21, line 9, strike "E. The" and insert in lieu thereof "(4) the".

6. On page 21, line 10, strike the period and insert in lieu

thereof a semicolon.

7. On page 21, line 11, strike "F. The" and insert in lieu thereof "(5) the".

8. On page 21, line 12, strike the period and insert in lieu thereof "; and".

9. On page 21, line 13, strike "G. The" and insert in lieu thereof "(6) the".

10. Reletter the succeeding subsections accordingly.

11. On page 23, line 18, strike "J" and insert in lieu thereof "G".

12. On page 25, strike lines 9 through 25 and on page 26, strike lines 1 through 25 and insert in lieu thereof:

"A. The members, officers and employees of the commission shall not be liable or subject to suit, either personally or in their official capacity, when:

(1) acting within the scope of that person's employment or duties for acts, errors or omissions occurring within that person's state; or

(2) that person against whom the claim is made had a reasonable basis for believing that the acts, errors or omissions occurred within the scope of commission employment or duties and within that person's state.

B. The liability of the commission within any member state may not exceed the limits of liability set forth under the constitution and laws of that state for state officials, employees and agents or commission members. The commission is considered to be an instrumentality of the states for the purpose of any such action.

C. The commission shall defend, indemnify and hold harmless the executive director, the director's employees and members of the commission according to the commission's rules and

bylaws. The executive director, employees and members of the commission shall be held harmless in the amount of a settlement or judgment, including attorney fees and costs, obtained against that person arising out of an actual or alleged act, error or omission that occurred within the scope of commission employment, duties or responsibilities or that the person had a reasonable basis for believing occurred within the scope of commission employment, duties or responsibilities; provided that the actual or alleged act, error or omission did not result from intentional or willful and wanton misconduct on the part of that person.

D. Venue is proper and judicial proceedings by or against the commission shall be brought in a court of competent jurisdiction where the principal office of the commission is located or, at the discretion of the commission, a federal court of New Mexico.

E. Nothing in this subsection shall be construed to protect a person from suit or liability for damage, loss, injury or liability caused by the intentional or willful and wanton misconduct of the person."

13. On page 28, line 17, before "shall", insert "pertaining to New Mexico licensees".

14. On page 35, line 17, after the comma, strike the remainder of the line.

15. On page 35, line 19, before the period, insert "or, at the discretion of the commission, a federal court of New Mexico".

16. On page 36, line 8, strike "a federal court of New Mexico or".

17. On page 36, line 9, after "offices", insert "or, at the discretion of the commission, a federal court of New Mexico".

18. On page 41, line 4, strike "J" and insert in lieu thereof "G".

19. On page 45, line 8, after the period, strike the remainder of the line and strike line 9 and insert in lieu thereof "The attorney general".

20. On page 45, line 10, before "by", insert "of the effect of a rule or decision at issue under this subsection".

21. On page 45, line 24, strike "The" and insert in lieu thereof "A person who is or may be affected by a rule or decision at issue under Subsection A of this section, the".

22. On page 45, line 24, strike the comma.

23. On page 45, line 25, strike the comma.

Respectfully submitted,
