

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 14

1. On page 26, strike lines 12 through 25, on page 27, strike lines 1 through 25 and on page 28, strike lines 1 through 7 and insert in lieu thereof:

"M. 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.

N. 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.

O. 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.

P. 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."

2. Reletter the succeeding subsection accordingly.

3. On page 28, line 18, strike "and" and between lines 18 and 19, insert:

"(3) 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; and".

4. Renumber the succeeding paragraph accordingly.

5. On page 30, line 24, before "shall", insert "pertaining to New Mexico licensees".

6. On page 38, line 13, strike "a federal court of New Mexico or".

7. On page 38, line 14, before the period, insert "or, at the discretion of the commission, a federal court of New Mexico".

8. On page 39, lines 4 and 5, strike "a federal court of New Mexico or".

9. On page 39, line 6, after "offices", insert "or, at the discretion of the commission, a federal court of New Mexico".
10. On page 39, line 17, strike "a federal court of New Mexico or".
11. On page 39, line 18, after "offices", insert "or, at the discretion of the commission, a federal court of New Mexico".
12. On page 51, line 25, after the period, strike the remainder of the line and on page 52, strike line 1 and insert in lieu thereof "The attorney general".
13. On page 52, line 2, before "by", insert "of the effect of a rule or decision at issue under this subsection".
14. On page 52, line 15, 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".
15. On page 52, line 15, strike the comma.
16. On page 52, line 16, strike the comma.

Respectfully submitted,

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