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FISCAL IMPACT REPORT

SPONSOR:	Russell	DATE TYPED:	02/03/00	HB	179
SHORT TITLE:	Firearms Industry Lawsuit Reform Act			SB	
				ANALYST:	O'Connell

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY00	FY01	FY00	FY01		
		NFI	NFI		

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to

SOURCES OF INFORMATION

LFC files

New Mexico Attorney General

Administrative Office of the Courts (AOC)

SUMMARY

Synopsis of Bill

House Bill 179 would enact the Firearms Industry Lawsuit Reform Act, reserving the authority to file certain types of lawsuits against firearm manufacturers to the state. The Act would also eliminate liability for firearms manufacturers for failing to warn firearms users that firearms have the potential to cause serious injury, property damage or death. House Bill 179 would apply to pending lawsuits or lawsuits filed on or after the effective date of the Act.

Significant Issues

According to Attorney General analysis, Section 5 of House Bill 179 is unconstitutional because "no act of the legislature shall affect the right or remedy of either party, or change the rules of evidence or procedure, in any pending case (Article IV, sec. 34, New Mexico Constitution)." Also, Sections 3(A) and 3(B) are unconstitutional because "no person shall be deprived of life, liberty or property without due process of law; nor shall any person be denied equal protection of the laws (Article II, sec. 18, New Mexico Constitution)."

BOC/gm