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SENATE MEMORIAL 23
47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005
INTRODUCED BY
Clinton D. Harden

A MEMORIAL
REQUESTING THAT THE CONGRESSIONAL DELEGATION OF THE STATE OF
NEW MEXICO END THE ABUSE OF TORT LAW AGAINST THE FIREARMS
INDUSTRY.

WHEREAS, citizens have a right, protected by the second
amendment to the United States constitution, to keep and bear
arms; and

WHEREAS, lawsuits have been commenced against
manufacturers, distributors, dealers and importers of firearms
that operate as designed and intended, which seek monetary
damages and other relief for harm caused by the misuse of
firearms by third parties, including criminals; and

WHEREAS, the manufacture, importation, possession, sale
and use of firearms and ammunition in the United States are
heavily regulated by federal, state and local laws, including

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1 the federal Gun Control Act of 1968, the National Firearms Act
2 and the federal Arms Export Control Act; and

3 WHEREAS, businesses in the United States that are engaged
4 in interstate and foreign commerce through the lawful design,
5 manufacture, marketing, distribution, importation or sale to
6 the public of firearms or ammunition that has been shipped or
7 transported in interstate or foreign commerce are not, and
8 should not, be liable for the harm caused by those who
9 criminally or unlawfully misuse firearms or ammunition that
10 function as designed and intended; and

11 WHEREAS, thirty-three states have passed legislation
12 protecting firearms, and ammunition manufacturers and
13 legislation in congress supporting this measure has broad
14 bipartisan support;

15 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
16 OF NEW MEXICO that the New Mexico congressional delegation be
17 requested to support the end of the abuse of tort laws against
18 the firearms industry; and

19 BE IT FURTHER RESOLVED that copies of this memorial be
20 transmitted to each member of the New Mexico congressional
21 delegation.