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SENATE BILL 168

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Sue Wilson Beffort

AN ACT

RELATING TO LIABILITY; LIMITING THE LIABILITY OF CHARITABLE
SELLERS OF USED BABY EQUIPMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. SHORT TITLE.--This act may be cited as the
"Charitable Seller of Baby Equipment Protection Act".

SECTION 2. PURPOSE OF ACT.--The purpose of the Charitable
Seller of Baby Equipment Protection Act is to provide consumers
with affordable safety equipment for their children.

SECTION 3. DEFINITIONS.--As used in the Charitable Seller
of Baby Equipment Protection Act:

A. "baby equipment" means equipment designed for
use by, or for the benefit of, infants and small children; and

B. "charitable seller" means an organization that
is described in Section 501(c) of the federal Internal Revenue

1 Code of 1986 and that is exempt from federal income taxation
2 pursuant to Section 501(a) of that code.

3 SECTION 4. IMMUNITY FROM LIABILITY--CHARITABLE SELLERS OF
4 USED BABY EQUIPMENT.--Except as specifically preempted by
5 federal law, a charitable seller of used baby equipment is not
6 liable for injury or death caused by the used baby equipment.

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