

# ***NEW MEXICO SENATE DEMOCRATS***

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## **Senate Committee Shoots Blank at Controversial House Gun Bill Late Tuesday Night**

A highly charged House bill that would require people who purchase guns at gun shows to undergo background checks on the spot ended up in a tie vote late Tuesday night in a Senate Public Affairs Committee Hearing.

In a four-to-four tie vote, the committee could not agree on an amended House Bill 77, Firearms Transfer Act, sponsored by Miguel P. Garcia (D, Bernalillo, District 14), which would require buyers of up to three firearms at gun shows to submit to a background check before they could legally purchase a gun. The tie vote resulted in Committee Chairman Jerry Ortiz y Pino (D, Bernalillo, District 12) ruling that the bill would stay on the committee agenda and the Senators would review it again during another Public Affairs hearing on Thursday.

HB 77 would require gun-show operators to provide the services of an FFL (federal firearms licensed) to immediately conduct background checks on gun buyers at a show and clearly post the background-check requirement and charge a fee at their gun-buying events. The FFL would have access to the FBI's National Instant Criminal Background Check System to determine a buyer's legal status.

Representative Garcia, who told the committee that the bill has the endorsement of Governor Susana Martinez, indicated that the bill would close a loophole that currently allows private gun sellers to conduct transactions at show without a conducting a background check on buyers.

For the past 1 ½ years, the state's Administrative Office of the Courts has been reporting court information to the national system regarding individuals in the state with a record of mental commitment, records of criminal adjudication, misdemeanor convictions of domestic violence or subjects of a related restraining order, undocumented citizenship, among other criminal categories. Such people would not be legally able to purchase firearms at gun shows.

The bill exempts those purchasing antique firearms or private transactions among individuals or family members.