

1 **CITY OF SANTA FE, NEW MEXICO**

2 **RESOLUTION NO. 2015-13**

3 **INTRODUCED BY:**

4
5 Councilor Peter Ives

6 Councilor Signe Lindell

7 Councilor Patti Bushee

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9
10 **A RESOLUTION**

11 **SUPPORTING PROPOSED STATE LEGISLATION, HOUSE BILL 44 (HB 44) –**
12 **CREATION OF THE FIREARM TRANSFER ACT.**

13
14 **WHEREAS**, the 60 day session of the 2015 Legislative Session began on January 20, 2015;
15 and

16 **WHEREAS**, the Governing Body of the City of Santa Fe desires to support HB 44, the
17 creation of the Firearm Transfer Act; and

18 **WHEREAS**, HB 44 proposes to accomplish the following:

- 19
- 20 • Require a prospective recipient of a firearm at a gun show to undergo a background
21 check by a federal firearms licensee
 - 22 • Allow a reasonable fee for services
 - 23 • Provide an exception to the background check requirement
 - 24 • Provide immunity in certain situations
 - 25 • Prohibit a registry of firearm transfers or ownership
 - Provide an exception to the inspection of public records act

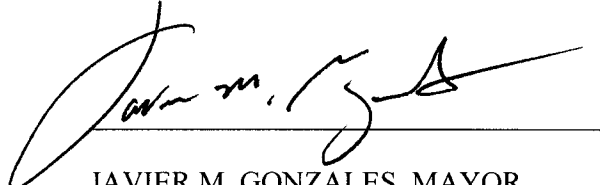
- 1 • Create crimes and imposing penalties
- 2 • Require the Administrative Office of the Courts to transmit information from court
- 3 proceedings relating to eligibility to receive or possess a firearm to the national
- 4 instant criminal background check system, including certain mental health
- 5 adjudication information
- 6 • Require the Administrative Office of the Courts to report information regarding a
- 7 person who has been adjudicated as a mental defective or committed to a mental
- 8 health institution to the federal bureau of investigation for entry into the national
- 9 instant criminal background check system
- 10 • Limit information reported
- 11 • Provide procedures for the person who is the subject of the report to seek a
- 12 redetermination of mental condition and restoration of the right to receive or possess
- 13 any firearm or ammunition
- 14 • Set standards for a court to restore the right to receive or possess any firearm or
- 15 ammunition
- 16 • Require the court to seal the record of such proceedings
- 17 • Make the report transmitted by the Administrative Office of the Courts to the Federal
- 18 Bureau of Investigation confidential
- 19 • Permit disclosure only to the person who is the subject of such report or that person's
- 20 authorized representative
- 21 • Limit the use of such report
- 22 • Provide that no cause of action shall be brought for transmission, failure to transmit,
- 23 delay in transmitting or inaccurate information contained in such report
- 24 • Provide a right to inspect and correct records
- 25 • Authorize the Administrative Office of the Courts to promulgate rules

- Provide a contingent repeal.

NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that the Governing Body hereby supports HB 44, the proposed Firearm Transfer Act.

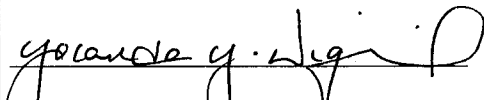
BE IT FURTHER RESOLVED that the City Clerk is directed to forward a copy of this resolution to the City of Santa Fe lobbyist and the City of Santa Fe State Legislative Delegation.

PASSED, APPROVED, and ADOPTED this 28th day of January, 2015.




JAVIER M. GONZALES, MAYOR

ATTEST:



YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:



KELLEY A. BRENNAN, CITY ATTORNEY