

Updated "Bennie's Bill" headed to House Floor

Written by Staff Reports

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SANTA FE – “Bennie’s Bill,” which would hold adults who recklessly store firearms accountable if a child uses that firearm to commit a crime, passed the House Judiciary Committee today on a party line vote of 7-4. The bill is named after Bennie Hargrove, the Washington Middle School (Albuquerque) student fatally shot by another student who used his father’s improperly stored gun in August 2021.

House Bill 9 holds adults accountable for making a firearm accessible to a minor (a misdemeanor, punishable by up to a year in jail), and negligently making a firearm accessible to a minor resulting in great bodily harm or death (a fourth degree felony, carrying an 18-month prison sentence).

“This bill is about keeping our kids safe. While most gun owners are responsible and store their firearms safely, we have seen the tragic consequences that can occur when adults fail to keep these weapons out of the reach of children,” House Bill 9’s lead sponsor Rep. Pamelya Herndon, D-Albuquerque, said. “To prevent school shootings and tragic accidents, we have to hold adults accountable who irresponsibly store their firearms and leave them accessible to children.”

After being introduced in the 2022 legislative session, “Bennie’s Bill” has been updated this year to provide clearer requirements for safe storage.

“Bennie’s Bill” passed the House Consumer and Public Affairs Committee on Jan. 24 on a 4-2 party line vote and now heads to the House Floor. It is sponsored by Herndon, Rep. Patricia Roybal Caballero, D-Albuquerque, Rep. Joanne Ferrary, D-Las Cruces, Senate President Pro Tem Mimi Stewart, D-Albuquerque, and Sen. Antoinette Sedillo Lopez, D-Albuquerque.

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