

SB23-168

Gun Violence Victims' Access To Judicial System

Concerning gun violence victims' access to the judicial system.

SESSION:

2023 Regular Session

SUBJECT:

Crimes, Corrections, & Enforcement

BILL SUMMARY

Current law limits product liability actions against manufacturers of firearms and ammunition to situations in which there was a defect in the design or manufacture of a firearm or ammunition. The act repeals that limitation.

The act defines the terms "firearm industry member" (industry member) and "firearm industry product" (industry product) and requires each industry member that is engaged in the manufacture, distribution, importation, marketing, or wholesale or retail sale of an industry product in Colorado to establish and implement reasonable controls and precautions related to the industry product in its control.

An industry member shall not knowingly engage in conduct, through acts or omissions, that violates statutory firearms provisions or the "Colorado Consumer Protection Act".

If an industry member's knowing violation of the provisions of the act creates a reasonably foreseeable risk of harm, the violation is presumed to be the proximate cause of the harm in an action brought pursuant to the act. An intervening act by a third party, including unlawful misuse of an industry product, does not protect an industry member from liability. A cause of action may be brought within 5 years after the date that the violation or harm occurs.

APPROVED by Governor April 28, 2023

EFFECTIVE October 1, 2023

(Note: This summary applies to this bill as enacted.)