

FACT SHEET: SB23-168 THE GUN VIOLENCE VICTIMS' ACCESS TO JUSTICE AND FIREARMS INDUSTRY ACCOUNTABILITY ACT

SB 23-168, the Gun Violence Victims' Access to Justice bill would reform Colorado's extreme anti-victim firearm industry immunity laws and ensure that victims of gun violence harmed by corporate misconduct can seek fair and appropriate justice in court.

- **The Problem:** Existing Colorado law provides firearm and ammunition manufacturers, dealers, and importers—the corporate gun industry—with broad immunity from liability that goes far beyond the federal gun industry immunity law and far beyond the laws of 47 other states. Colorado's law blocks victims of gun violence from making it to trial to show they were harmed by corporate misconduct, negligence, or illegality. Even more extreme, **Colorado is one of just three states that requires victims to pay the corporate gun industry's legal bills just for daring to sue.** This anti-victim law shields the profitable gun industry from basic accountability and incentives for responsible business behavior.

It has also led to cruel results, like for the Phillips family. They lost their daughter in a mass shooting in Aurora, and brought a legal action seeking a court order to compel the companies that had sold the shooter thousands of rounds of ammunition, large-capacity magazines, and body armor over the internet without any background check or safety measures to improve their vetting and safety practices. Because of Colorado's extreme, anti-victim immunity law, their case was kicked out of court in its initial stages, and they were soon bankrupted and lost their home after being forced to pay more than \$200,000 to the companies that profited from selling weaponry—no questions asked—to their daughter's murderer.

- **The Solution:** SB23-168 would reform and replace Colorado's extreme anti-victim firearm industry immunity laws with a new firearm industry standard of responsible conduct. It would also establish a cause of action to ensure victims of gun violence (or the state attorney general acting on their behalf) can seek fair justice and compensation in court if they can prove they were harmed as a result of a gun industry member's knowing violation of this standard of conduct.

The new standard would require firearm industry members to:

- Comply with all of Colorado's consumer protection, unfair business practice, antitrust, and gun safety laws
- Implement reasonable controls, such as screening or security standards, to prevent specified harms like gun trafficking, and ensure the industry member does not promote illegal weapons use
- Stop commerce in products that are designed, sold, or marketed in a manner that promotes conversion of legal firearm industry products into illegal products, or in a manner that is targeted at children or other people who can't legally purchase firearms
- Take reasonable steps to ensure they do not sell or distribute weapons to weapon distributors or retailers that violate this standard of responsible conduct

The corporate firearm industry would still enjoy broad immunities from many lawsuits under federal law. But this legislation would ensure that the firearm industry is, like every other industry, required to comply with some basic standards of responsible business conduct and fairly accountable to victims harmed by violations of the standard of conduct. In 2021 and 2022, four other states enacted similar reforms.

Daniel Defense manufactured the AR-15-style assault rifle that the gunman used to kill 19 kids and two teachers in Uvalde, Texas. Just eight days before the massacre, Daniel Defense posted this ad on Twitter:



Daniel Defense 
@DanielDefense



Train up a child in the way he should go, and when he is old, he will not depart from it. 🙏



12:26 PM · May 16, 2022 · Twitter for iPhone

Company website: <https://danieldefense.com/>

JR-15™

.22 Long Rifle

GET EM ONE
LIKE YOURS



SMALLER
SAFER
LIGHTER
PATENTED SAFETY
MADE IN USA

Our goal was to develop a shooting platform that was not only sized correctly, and safe, but also looks, feels, and operates just like Mom and Dad's gun.

Safety was so much at the forefront of our thought process that we developed and patented a tamper resistant safety that puts the adult in control of the firearms safety switch. The WEE1 and Schmid Tool Team brought their collective experience in the firearms business, specifically the AR platform, to the table to launch the JR-15. We are so excited to start capturing the imagination of the next generation to enter the shooting sports.

SPECIFICATIONS

SIZE:	30 7/8"
WEIGHT:	APROX 2LBS
SAFETY:	PATENTED TAMPER RESISTANT
LOWER:	POLYMER
UPPER:	POLYMER
RAIL:	STANDARD PICATINNY RAIL with M-LOK FOR ALL STANDARD ACCESSORIES
TRIGGER:	MINI MIL-SPEC
BARREL:	16"
SIGHT:	NO SIGHT INCLUDED
MAGAZINE:	1RD, 5RD, 10RD, SHIPS WITH SINGLE RD MAG



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