

# Bill as Introduced

HB 1161 - AS INTRODUCED

2010 SESSION

10-2302  
04/09

HOUSE BILL           **1161**

AN ACT                repealing the requirement to obtain a license to sell in order to sell pistols or  
                          revolvers at retail.

SPONSORS:            Rep. Eaton, Ches 2; Rep. Welch, Rock 8

COMMITTEE:          Criminal Justice and Public Safety

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ANALYSIS

This bill repeals the requirement that a person obtain a license to sell pistols or revolvers at retail.

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Explanation:        Matter added to current law appears in *bold italics*.  
                          Matter removed from current law appears [~~in brackets and struck through~~].  
                          Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Ten*

AN ACT           repealing the requirement to obtain a license to sell in order to sell pistols or  
                    revolvers at retail.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

- 1       1 Repeal. The following are repealed:
- 2           I. RSA 159:8, relative to obtaining a license to sell pistols or revolvers at retail.
- 3           II. RSA 159:8-a, relative to sales of pistols or revolvers to nonresidents.
- 4           III. RSA 159:8-b, relative to penalties for selling a pistol or revolver to a nonresident.
- 5       2 Effective Date. This act shall take effect January 1, 2011.

# Amendments

Criminal Justice and Public Safety  
January 19, 2010  
2010-0190h  
04/05

Amendment to HB 1161

- 1 Amend section 1 of the bill by inserting after paragraph III the following new paragraph:
- 2
- 3 IV. RSA 159:10, relative to sales without a license.

# Speakers



# Hearing Minutes



HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

PUBLIC HEARING ON HB 1161

**BILL TITLE:** repealing the requirement to obtain a license to sell in order to sell pistols or revolvers at retail.

**DATE:** January 19, 2010

**LOB ROOM:** 204      **Time Public Hearing Called to Order:** 10:03 a.m.

**Time Adjourned:** 10:22 a.m.

(please circle if present)

**Committee Members:** Reps. Shurtleff, Pantelakos, Berube, Robertson, Movsesian, Burridge, Cushing, Rodd, Chandley, B. McCarthy, M. Ryder, Welch, Charron, Fesh, Weare, Stevens, Villeneuve, Gagne, Swinford and Willette.

**Bill Sponsors:** Rep. Eaton, Ches 2; Rep. Welch, Rock 8

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

**Rep. Eaton** - Prime sponsor.

- Removes the requirement for the need to obtain a license to sell pistols or revolvers.
- Federal Government already regulates such sale.

**James Wheeler** - N. H. Firearms Coalition (No position)

- Concern this would prohibit all sales.

**Sam Cohen** - Pro-gun New Hampshire (Supports)

- Federal law is far more restricting than the current State law.

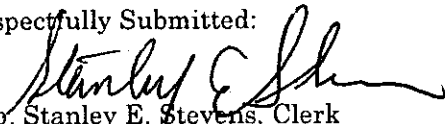
**Penny Dean** - G.O. N. H. (Supports)

- Believes RSA 159.10 needs to be repealed as well.

**\*Mark Warden** - N. H. Liberty Alliance (Supports)

- Had written testimony.

Respectfully Submitted:

  
Rep. Stanley E. Stevens, Clerk

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

PUBLIC HEARING ON HB 1161

**BILL TITLE:** repealing the requirement to obtain a license to sell in order to sell pistols or revolvers at retail.

**DATE:**

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**Bill Sponsors:** Rep. Eaton, Ches 2; Rep. Welch, Rock 8

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

HB-1161

19 Jan 2010

Start : 1003  
Finish : 1022

Rep. Eaton : prime sponsor

- removes the requirement for the need to obtain a license to sell pistols or revolvers
- Federal government already regulates such sale

James Wheeler NH Firearms Coalition (no position)  
(opposed)

- concern this would prohibit all sales.

Sam Cohen Pro-gun New Hampshire (supports)

- Federal law is far more restricting than the current state law.

Penny Dean G.O. NH. (supports)

- Believes RSA 159.10 needs to be repealed as well.

Mark Warden NH Liberty Alliance (supports)

- had written testimony.

# Testimony

HB 1161 LICENSE TO SELL PISTOLS IN STATE (1/19/10) – LOB 204 CrimJustice

Repealing the requirement to obtain a license to sell in order to sell pistols or revolvers at retail.

Mark Warden, Chairman, New Hampshire Liberty Alliance, which is a non-partisan, nonprofit, all volunteer organization dedicated to pushing public policy in a pro-liberty direction. For your benefit and convenience we publish the **Gold Standard** “Liberty Watchlist” each Wednesday that you have a general session.

We support this bill and encourage the committee to do the same.

1. Removing a layer of bureaucracy means less money spent by taxpayer dollars on enforcement and paperwork, freeing that money up for circulation in the real economy. And freeing state agencies for more compelling and important duties.
2. Free people should be free to trade freely among themselves. There’s nothing magical or special about handguns – they are tools and mechanical equipment. Let’s stop throwing our citizens into cages for trading products among hobbyists, collectors, and enthusiasts.
3. We already have the right in law to sell to people we know personally. This just expands that freedom a bit, and allows small businesses to expand their offering and provide service to legal customers.
4. As you know, the federal government loves to tell us little states what to do, and their oversight of gun sales isn’t going away anytime soon, but in the meantime, we should lighten the bureaucratic burden on New Hampshire citizens by passing this straightforward, common-sense legislation.

If we believe in the LFOD spirit and the state constitution’s bill of rights, then this should be an easy bill to swallow.

Thank you.

[www.nhliberty.org](http://www.nhliberty.org)

Publications: weekly Gold Standard and annual Liberty Rating report card

# Voting Sheets

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

EXECUTIVE SESSION on HB 1161

**BILL TITLE:** repealing the requirement to obtain a license to sell in order to sell pistols or revolvers at retail.

**DATE:** February 2, 2010

**LOB ROOM:** 204

**Amendments:**

Sponsor: Rep. David A. Welch OLS Document #: 2010 0190h

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

**Motions:** ~~OTP~~, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. David A. Welch

Seconded by Rep. Robert M. Fesh

Vote: 17-0 (Please attach record of roll call vote.)

**Motions:** OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. David A. Welch

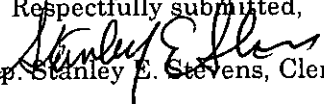
Seconded by Rep. Robert M. Fesh

Vote: 17-0 (Please attach record of roll call vote.)

**CONSENT CALENDAR VOTE: 17-0**

(Vote to place on Consent Calendar must be unanimous.)

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,  
  
Rep. Stanley E. Stevens, Clerk

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

EXECUTIVE SESSION on HB 1161

**BILL TITLE:** repealing the requirement to obtain a license to sell in order to sell pistols or revolvers at retail.

**DATE:**

**LOB ROOM:** 204

Amendments:

Sponsor: Rep. *Welch* OLS Document #: *2010-0190 h*  
Sponsor: Rep. \* OLS Document #:  
Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. *Welch*

Seconded by Rep. *Fresh*

Vote: *17-0* (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. *Welch*

Seconded by Rep. *Fresh*

Vote: *17-0* (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: *17-0*

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Stanley E. Stevens, Clerk



CRIMINAL JUSTICE AND PUBLIC SAFETY

Bill #: HB 1161 Title: Repealing the requirement to obtain a license to sell in order to sell pistols or revolvers at retail.

PH Date: 01/19/2010

Exec Session Date: 2/2/10

Motion: OTP

Amendment #: \_\_\_\_\_

MEMBER	YEAS	NAYS
Shurtleff, Stephen J, Chairman		
Pantelakos, Laura C, V Chairman	✓	
Berube, Roger R		
Robertson, Timothy N	✓	
Movsesian, Lori A	✓	
Burridge, Delmar D	✓	
Cushing, Robert R		
Rodd, Beth	✓	
Chandley, Shannon E	✓	
McCarthy, Barbara A	✓	
Ryder, Mark R	✓	
Welch, David A	✓	
Charron, Gene P	✓	
Fesh, Robert M	✓	
Weare, Everett A	✓	
Stevens, Stanley E, Clerk	✓	
Villeneuve, Moe	✓	
Fagne, Larry G	✓	
Swinford, Elaine B	✓	
Villette, Robert F	✓	
	17	0
OTAL VOTE:		
rinted: 12/18/2009		



# Committee Report

**CONSENT CALENDAR**

**February 4, 2010**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on CRIMINAL JUSTICE AND PUBLIC SAFETY to which was referred HB1161,**

**AN ACT repealing the requirement to obtain a license to sell in order to sell pistols or revolvers at retail.**

**Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.**

**Rep. David A Welch**

**FOR THE COMMITTEE**

## COMMITTEE REPORT

Committee:	<b>CRIMINAL JUSTICE AND PUBLIC SAFETY</b>
Bill Number:	<b>HB1161</b>
Title:	<b>repealing the requirement to obtain a license to sell in order to sell pistols or revolvers at retail.</b>
Date:	<b>February 2, 2010</b>
Consent Calendar:	<b>YES</b>
Recommendation:	<b>OUGHT TO PASS WITH AMENDMENT</b>

### STATEMENT OF INTENT

This bill repeals RSA's 159:8, 159:8a, 159:8b relative to the requirement of obtaining a local license to sell firearms at retail from the Chief of Police. During testimony, it appeared that many chiefs of police were not aware of the statute. Also, during the testimony it appeared that RSA 159:10 relative to sales without a license ought to be repealed as well. The amendment repeals RSA 159:10 as well. Committee vote OTP/A 17-0.

Vote 17-0.

Rep. David A Welch  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

### CRIMINAL JUSTICE AND PUBLIC SAFETY

**HB1161**, repealing the requirement to obtain a license to sell in order to sell pistols or revolvers at retail. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David A Welch for CRIMINAL JUSTICE AND PUBLIC SAFETY. This bill repeals RSA's 159:8, 159:8a, 159:8b relative to the requirement of obtaining a local license to sell firearms at retail from the Chief of Police. During testimony, it appeared that many chiefs of police were not aware of the statute. Also, during the testimony it appeared that RSA 159:10 relative to sales without a license ought to be repealed as well. The amendment repeals RSA 159:10 as well. Committee vote OTP/A 17-0. **Vote 17-0.**

Original: House Clerk  
Cc: Committee Bill File

**HB 1161 repealing the requirement to obtain a license to sell in order to sell pistols or revolvers at retail.**

**This bill repeals RSA's 159:8, 159:8a, 159:8b relative to the requirement of obtaining a local license to sell firearms at retail from the Chief of Police. During testimony, it appeared that many chiefs of police were not aware of the statute. Also, during the testimony it appeared that RSA 159:10 relative to sales without a license ought to be repealed as well. The amendment repeals RSA 159:10 as well. Committee vote OTP/A 17-0.**

**Rep. David A. Welch  
For the Committee  
OTP/A CC**

A handwritten signature consisting of the initials 'SJS' enclosed within a hand-drawn circle.

HB 1161

This bill repeals RSA's 159:8, 159:8b, 159:8b relative to the requirement of obtaining a local license to sell firearms at retail from the chief of police. During testimony it appeared that many chiefs of police were not aware of the statute. Also during the testimony it appeared that RSA 159:10 relative to sales without a license ought to be repealed as well. The amendment repeals RSA 159:10 as well.

Committee vote: OTP-A 17-0

David Welch for the committee



**COMMITTEE REPORT**

COMMITTEE: Criminal Justice and Public Safety

BILL NUMBER: H.B. 1161

TITLE: Repealing the requirement to obtain a license to sell in order to sell pistols or revolvers at retail.

DATE: Feb. 2, 2010 CONSENT CALENDAR YES  NO

OUGHT TO PASS

OUGHT TO PASS WITH AMENDMENT

INEXPEDIENT TO LEGISLATE

RE-REFER

REFER TO COMMITTEE FOR INTERIM STUDY  
(Available only in second year of biennium.)

**STATEMENT OF INTENT  
(Include Committee Vote)**

See Attached

Vote. 17-0

Rep. David A. Welch  
FOR THE COMMITTEE (DW)

Original: House Clerk  
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT