

LEGISLATIVE COMMITTEE MINUTES

HB1362

Bill as
Introduced

HB 1362-FN - AS INTRODUCED

2014 SESSION

14-2422
04/10

HOUSE BILL

1362-FN

AN ACT

prohibiting enforcement of any federal law which bans certain firearms or limits firearm magazine size and establishing a criminal penalty for such enforcement.

SPONSORS:

Rep. Peterson, Hills 21; Rep. Hoell, Merr 23; Rep. LeBrun, Hills 32; Rep. Hikel, Hills 6; Rep. Murotake, Hills 32; Rep. Burt, Hills 6

COMMITTEE:

Criminal Justice and Public Safety

ANALYSIS

This bill establishes a class B felony for a public servant or firearms dealer who enforces or attempts to enforce any federal restriction on firearms manufactured or owned exclusively in this state which remain within the borders of this state. The bill also declares any federal ban or other restriction on the ownership, possession, or registration of a firearm, firearm accessory, or magazine to be unenforceable.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Fourteen

AN ACT prohibiting enforcement of any federal law which bans certain firearms or limits firearm magazine size and establishing a criminal penalty for such enforcement.

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

1 1 New Chapter; Felonious Enforcement of Federal Firearm Restrictions. Amend RSA by
2 inserting after chapter 650-C the following new chapter:

3 CHAPTER 650-D

4 FELONIOUS ENFORCEMENT OF FEDERAL FIREARMS RESTRICTIONS

5 650-D:1 Prohibited Acts; Penalty.

6 I. No public servant, as defined in RSA 640:2, II(a), selling any firearm in this state shall
7 enforce or attempt to enforce any statute, rule, regulation, or order of the United States government
8 relating to a personal firearm, firearm accessory, or ammunition that is owned or manufactured
9 commercially or privately in this state and that remains exclusively within the borders of this state.

10 II. Any official, agent, or employee of the United States government who enforces or
11 attempts to enforce any statute, rule, regulation, or order of the United States government on an act
12 that is expressly allowed by New Hampshire law shall be guilty of a misdemeanor.

13 650-D:2 Defense of Citizen Prosecuted by Federal Government. The attorney general shall
14 defend a citizen of this state who is prosecuted by the United States government for violation of a
15 federal law relating to the manufacture, sale, transfer, or possession of a firearm, firearm accessory,
16 or ammunition owned or manufactured and retained exclusively within the borders of this state.

17 650-D:3 Federal Restrictions Unenforceable. Any statute, rule, regulation, or order of the
18 United States government created or effective on or after January 1, 2015 restricting the individual
19 possession, sale, or purchase of ammunition of any kind shall be unenforceable within the borders of
20 this state, and any agent of the United States government who attempts to enforce such a restriction
21 against an individual, including a federally-licensed firearms dealer, shall be guilty of a
22 misdemeanor.

23 2 Effective Date. This act shall take effect January 1, 2015.

HB 1362-FN - FISCAL NOTE

AN ACT prohibiting enforcement of any federal law which bans certain firearms or limits firearm magazine size and establishing a criminal penalty for such enforcement.

FISCAL IMPACT:

The Judicial Branch, Department of Justice, and New Hampshire Association of Counties state this bill, as introduced, may increase state and county expenditures by an indeterminable amount in FY 2015 and each year thereafter. There will be no fiscal impact on local expenditures, or state, county, and local revenue.

METHODOLOGY:

The Judicial Branch states this bill adds RSA 650-D to prohibit enforcement of any federal law which bans certain firearms or limits firearm magazine size. Violation of this proposed law would be an unspecified misdemeanor. The Branch has no information to estimate how many additional misdemeanor prosecutions may result but does have the average cost to process each type of case. An unspecified misdemeanor can be either class A or class B, with the presumption being a class B misdemeanor. The Branch estimates a class A misdemeanor will cost \$66.17 per case in FY 2015 and \$67.64 per case in FY 2016 and each year thereafter, and a class B misdemeanor will cost \$46.99 per case in FY 2015 and \$48.02 per case in FY 2016 and each year thereafter. Any appeals will result in an increase in expenditures. All costs are estimated based on case weight information from the last needs assessment completed in 2005. Since that timeframe there have been various changes that may impact the costs, such as the creation of the circuit court, the increase in self-represented litigants, and the change to presume that an unspecified misdemeanor can be treated as a class B misdemeanor.

The Department of Justice states this bill will have an indeterminable increase on state expenditures. The Department states its Public Integrity Unit investigates and prosecutes criminal conduct undertaken by certain public officials in their official capacity. This bill may result in an increase in the number of investigations and prosecutions by the Unit. This bill would require the Department to defend any New Hampshire citizen against charges for a violation of federal law relating to firearms, firearm accessories, and ammunition owned or manufactured in the state that remain exclusively within the state.

The New Hampshire Association of Counties states to the extent individuals are charged, convicted, and sentenced to incarceration in a county correctional facility, the counties will have

expenditures. The Association is unable to determine the number of individuals who may be charged, convicted or incarcerated as a result of this bill to determine an exact fiscal impact. The average annual cost to incarcerate an individual in a county correctional facility is approximately \$35,000. There is no impact on county revenue.

The Judicial Council states that anyone prosecuted under this proposed law would be a government official acting in his or her official capacity. In the event of criminal prosecution, the government official would be defended and indemnified by his or her employer, and would not seek the assistance of appointed counsel. The Council states this bill will not have a fiscal impact on the indigent defense delivery system.

Amendments



Rep. Peterson, Hills. 21
Rep. Hoell, Merr. 23
Rep. Itse, Rock. 10
Rep. Lambert, Hills. 44
February 6, 2014
2014-0436h
04/03

Not Adopted

Amendment to HB 1362-FN

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to lawful commerce in firearms, including manufacture and sale, in New
4 Hampshire.
5

6 Amend the bill by replacing all after the enacting clause with the following:

7

8 1 Legislative Declarations of Authority. The legislature declares that the authority for this act
9 is the following:

10 I. The Tenth Amendment to the United States Constitution guarantees to the states and
11 their people all powers not granted to the federal government elsewhere in the Constitution and
12 reserves to the state and people of New Hampshire certain powers as they were understood at the
13 time that New Hampshire ratified the Bill of Rights, particularly the Tenth Amendment in 1790.
14 The guaranty of those powers is a matter of contract between the state and people of New
15 Hampshire and the United States as of the time that the compact with the United States was agreed
16 upon and adopted by New Hampshire and the United States.

17 II. The Ninth Amendment to the United States Constitution guarantees to the people rights
18 not granted in the Constitution and reserves to the people of New Hampshire certain rights as they
19 were understood at the time that New Hampshire ratified the Bill of Rights, particularly the Tenth
20 Amendment in 1790. The guaranty of those rights is a matter of contract between the state and
21 people of New Hampshire and the United States as of the time that the compact with the
22 United States was agreed upon and adopted by New Hampshire and the United States.

23 III. The regulation of intrastate commerce is vested in the states under the Ninth and Tenth
24 amendments to the United States Constitution, particularly if not expressly preempted by federal
25 law. Congress has not expressly preempted state regulation of intrastate commerce pertaining to
26 the manufacture, on an intrastate basis, of firearms, firearms accessories, and ammunition.

27 IV. The Second Amendment to the United States Constitution reserves to the people the
28 right to keep and bear arms as that right was understood at the time that New Hampshire ratified,
29 in 1790, the Bill of Rights, particularly the Second Amendment, and the guaranty of the right is a
30 matter of contract between the state and people of New Hampshire and the United States as of the



Amendment to HB 1362-FN

- Page 2 -

1 time that the compact with the United States was agreed upon and adopted by New Hampshire and
2 the United States, by that said ratification.

3 V. New Hampshire, having already established in 1784 its own constitution, with Articles 2
4 and 7 guaranteeing that New Hampshire citizens had the right to defend and protect life and
5 property and that these rights would not be superseded by the powers granted to the Congress of the
6 United States of America, such that when New Hampshire ratified the United States Constitution
7 these rights were clearly understood to exist in the State of New Hampshire. Article 2 of the
8 New Hampshire Bill of Rights: Natural Rights, includes this statement that all men have certain
9 natural, essential, and inherent rights among which are, the enjoying and defending life and liberty;
10 acquiring, possessing, and protecting, property; and, in a word, of seeking and obtaining happiness.
11 Article 7 of the New Hampshire Bill of Rights, effective June 2, 1784, clearly provides that the
12 people of this state have the sole and exclusive right of governing themselves as a free, sovereign,
13 and independent state; and do, and forever hereafter shall, exercise and enjoy every power,
14 jurisdiction, and right, pertaining thereto, which is not, or may not hereafter be, by them expressly
15 delegated to the United States of America in congress assembled.

16 VI. Article 2-a of the New Hampshire Bill of Rights: The Bearing of Arms, effective
17 December 1, 1982, provides that all persons have the right to keep and bear arms in defense of
18 themselves, their families, their property and the state. This article was an explicit recognition of
19 the rights implicit in Article 2 as it was adopted in 1784.

20 2 New Chapter; Lawful Commerce in Firearms. Amend RSA by inserting after chapter 159-D
21 the following new chapter:

22 CHAPTER 159-E

23 LAWFUL COMMERCE IN FIREARMS

24 159-E:1 Definitions. As used in this chapter, the following definitions apply:

25 I. "Firearm" means any weapon, including a starter gun, which will, or is designed to, or
26 may readily be converted to expel a projectile by the action of an explosive. "Firearm" shall include
27 the frame or receiver of any such weapon, or any firearm muffler or firearm silencer.

28 II. "Firearms accessories" means items that are used in conjunction with or mounted upon a
29 firearm but are not essential to the basic function of a firearm, including but not limited to telescopic
30 or laser sights, magazines, flash or sound suppressors, folding or aftermarket stocks and grips,
31 speedloaders, ammunition carriers, optics for target identification, and lights for target illumination.

32 III. "Generic and insignificant parts" includes but is not limited to springs, screws, nuts, and
33 pins.

34 IV. "Manufactured" means that a firearm, a firearm accessory, or ammunition has been
35 created from basic materials for functional usefulness, including but not limited to forging, casting,
36 machining, molding, or other processes for working materials.

37 159-E:2 Prohibitions. Notwithstanding any other law to the contrary, a firearm, a firearm



Amendment to HB 1362-FN

- Page 3 -

1 accessory, or ammunition that is manufactured commercially or privately in New Hampshire and
2 that remains within the state of New Hampshire shall not be subject to federal law or taxation, or
3 federal regulation, including registration, under the authority of Congress to regulate interstate
4 commerce. It is declared by the legislature that those items have not traveled in interstate
5 commerce. This section applies to a firearm, a firearm accessory, or ammunition that is
6 manufactured in New Hampshire from basic materials and that can be manufactured without the
7 inclusion of any significant parts imported from another state. Generic and insignificant parts that
8 have other manufacturing or consumer product applications are not firearms, firearms accessories,
9 or ammunition, and their importation into New Hampshire and incorporation into a firearm, a
10 firearm accessory, or ammunition manufactured in New Hampshire does not subject the firearm,
11 firearm accessory, or ammunition to federal regulation. It is declared by the legislature that basic
12 materials, such as, but not limited to, unmachined steel and unshaped wood, are not firearms,
13 firearms accessories, or ammunition and are not subject to congressional authority to regulate
14 firearms, firearms accessories, and ammunition under interstate commerce as if they were actually
15 firearms, firearms accessories, or ammunition. The authority of Congress to regulate interstate
16 commerce in basic materials does not include authority to regulate firearms, firearms accessories,
17 and ammunition made in New Hampshire from those materials. Firearms accessories that are
18 imported into New Hampshire from another state and that are subject to federal regulation as being
19 in interstate commerce do not subject a firearm to federal regulation under interstate commerce
20 because they are attached to or used in conjunction with a firearm in New Hampshire.

21 159-E:3 Marketing of Firearms. A firearm manufactured or sold in New Hampshire under this
22 chapter shall have the words "Made in New Hampshire" clearly stamped, inscribed, or otherwise
23 marked on a central part of the firearm, such as the receiver or frame.

24 159-E:4 Penalty.

25 I. Any public servant of the state of New Hampshire as defined in RSA 640:2 who enforces or
26 attempts to enforce an act, order, law, statute, rule, or regulation of the government of the
27 United States upon a firearm, a firearm accessory, or ammunition that is manufactured
28 commercially or privately in New Hampshire and that remains within the state of New Hampshire
29 shall be guilty of a class A misdemeanor.

30 II. Any official, agent, or employee of the government of the United States, or employee of a
31 corporation providing services to the government of the United States who enforces or attempts to
32 enforce an act, order, law, statute, rule, or regulation of the government of the United States upon a
33 firearm, a firearm accessory, or ammunition that is manufactured commercially or privately in
34 New Hampshire and that remains within the state of New Hampshire shall be guilty of a class B
35 felony.

36 159-E:5 Applicability. This chapter shall apply to firearms, firearms accessories, and
37 ammunition that are manufactured, as defined in this chapter, and retained in New Hampshire after

Amendment to HB 1362-FN

- Page 4 -



1 January 1, 2015.

2 3 Effective Date. This act shall take effect January 1, 2015.



Amendment to HB 1362-FN

- Page 5 -

2014-0436h

AMENDED ANALYSIS

This bill exempts firearms, firearm accessories, and ammunition manufactured in New Hampshire from federal law and regulation.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

PUBLIC HEARING ON HB 1362-FN

BILL TITLE: prohibiting enforcement of any federal law which bans certain firearms or limits firearm magazine size and establishing a criminal penalty for such enforcement

DATE: 2/6/14

LOB ROOM: 206 **Time Public Hearing Called to Order:** 10:30 am

Time Adjourned: 11:04 am

(please circle if present)

Committee Members: Reps. Pantelakos, Cushing, Ginsburg, Berube, Boisvert, Robertson, Grady, Burridge, Harriott-Gathright, Hirsch, O'Hearne, Charron, Fields, Villeneuve, Gagne, Vaillancourt, Wardeh, Parsons, Fesh and Tasker.

Bill Sponsors: Rep. Peterson, Hills 21; Rep. Hoell, Merr 23; Rep. LeBrun, Hills 32; Hikel, Hills 6; Rep. Murotake, Hills 32; Rep. Burt, Hills 6

TESTIMONY

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

#1 Rep. Peterson, Prime Sponsor, Rep: Hills 2

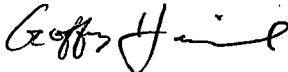
Discussed Amendment 2014-0436h, which will replace the original bill. (Copies in folder.)
Identical to HB 125 from 2011. Unsure of the fate of that bill then. Must have not passed or this bill would not be before us today.

#2 Chris Casco, No Position, Rep: NH Dept. of Safety

Main concerns are with the penalty sections. Much too broad. Can set up conflicts between enforcement of state or federal law.

Even manufacturers could face dilemmas regarding manufacture and sale of certain types of firearms. They might not be subject to prosecution under this law, but they might under federal law.

Respectfully submitted,



Rep. Geoffrey Hirsch, Clerk

Hirsch

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

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HB 1362-FN

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Closed: 11:04 AM

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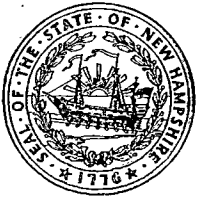
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Even manufacturers could face dilemmas regarding manufacture and sale of certain types of firearms. They might not be subject to prosecution under this law, but they might under federal law.

Testimony

#2



State of New Hampshire

DEPARTMENT OF SAFETY
JAMES H. HAYES BLDG. 33 HAZEN DR.
CONCORD, N.H. 03305
603/271-2559

JOHN J. BARTHELMES
COMMISSIONER OF SAFETY

EARL M. SWEENEY
ASSISTANT COMMISSIONER

LEGISLATIVE POSITION NH DEPARTMENT OF SAFETY

HB 1362: Prohibiting enforcement of federal gun laws

Position: Information Only

Dear Honorable Members of the Committee:

The title of this bill refers to "felonious" enforcement of federal firearms restrictions but the text of the bill makes it a misdemeanor.

The bill seeks to prohibit any public servant *selling any firearm in this state* from enforcing or attempting to enforce any statute, rule, regulation or order of the U.S. government relating to a firearm, firearm accessory, or ammunition that is owned or manufactured commercially or privately in this state and that remains exclusively in this state. This on its face is pretty silly since we cannot imagine any public servant who would be selling a firearm and in the process, enforcing a federal firearms law.

Perhaps the intent was to exempt firearms manufactured commercially or privately in New Hampshire from the federal firearms laws, under the impression that the federal firearms laws only apply to this state through the Commerce Clause of the U.S. Constitution. This is a legal argument that might or might not withstand a court test. Arguments would no doubt include that not every single part of a firearm would have originated in the State of New Hampshire and thus the Commerce Clause would be applicable, or the difficulty in proving or disproving that such a firearm or ammunition never left the state. We leave that issue for the lawyers to debate, but if the bill is to pass it should be amended to clarify this apparent drafting error in paragraph I.

The bill goes on to make it a misdemeanor for any official, agent or employee of the U.S. Government who attempts to enforce any federal law, rule, regulation, or order of the government on an act that is expressly allowed by New Hampshire, a misdemeanor. It would also require the NH Attorney General to defend any NH citizen who is prosecuted by the federal government for violation of any federal firearm law pertaining to a firearm, accessory, or ammunition that was manufactured, sold, transferred, owned or possessed and retained exclusively within the borders of this state. This would make an interesting case for any New

Hampshire law enforcement officer who arrested a federal agent for attempting to enforce federal law. He or she would certainly be charged with interfering with a federal officer or perhaps false imprisonment of a federal officer.

The bill then states that any new statute, rule, regulation or order of the U.S. government restricting the sale, or possession of ammunition of any kind, enacted on or after January 1, 2015 would be unenforceable within the borders of this state and any agent who attempts to enforce such a restriction against anyone including a federally licensed firearms dealer would also be guilty of a misdemeanor. This again would depend on the interaction of the second amendment and the commerce clause and we express no opinion on that legal argument.

The Department of Safety takes no position on the bill but appears before you to point out the drafting error in paragraph I and to explain the quandary that any state law enforcement officer would be in if they attempted to arrest a federal official for enforcing federal law. They would be faced with a decision of whether to risk not enforcing a state law which they are obligated to enforce, or to enforce it and be committing a federal crime, remembering that when they took their oath of office they had to swear allegiance to both the state and the federal constitutions, each of which is subject to different interpretations in this case.

APPROVED



Earl M. Sweeney
Assistant Commissioner

Voting Sheets

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

EXECUTIVE SESSION on HB 1362-FN

BILL TITLE: prohibiting enforcement of any federal law which bans certain firearms or limits firearm magazine size and establishing a criminal penalty for such enforcement

DATE: 2/20/14

LOB ROOM: 204

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

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

Moved by Rep. Pantelakos

Seconded by Rep.

Vote: 15-1 (Please attach record of roll call vote.)

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

Moved by Rep.

Seconded by Rep.

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

CONSENT CALENDAR VOTE: No

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Geoffrey Hirsch, Clerk



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/14/2014 1:20:22 PM
Roll Call Committee Registers
Report

2014 SESSION

CRIMINAL JUSTICE AND PUBLIC SAFETY

Bill #: 1362-FN Title: _____

PH Date: 1 / 1 Exec Session Date: 2 / 20 / 14

Motion: ITL Amendment #: _____

MEMBER	YEAS	NAYS
Pantelakos, Laura C, Chairman	✓	
Cushing, Robert R, V Chairman	✓	
Berube, Roger R		
Robertson, Timothy N	✓	
Shurtleff, Stephen J <i>Chandler</i>		
Boisvert, Ronald R	✓	
Grady, Brenda E	✓	
Harriott-Gathright, Linda	✓	
Hirsch, Geoffrey D	✓	
O'Hearne, Andrew S	✓	
Mangipudi, Latha	✓	
Charron, Gene P, Clerk <i>Kappler</i>	✓	
Fields, Dennis H	✓	
Fesh, Robert M	✓	
Villeneuve, Moe	✓	
Gagne, Larry G	✓	
Parsons, Robbie L		
Tasker, Kyle J		✓
Warden, Mark		
Vaillancourt, Steve	✓	
TOTAL VOTE:	15	1

Committee Report

REGULAR CALENDAR

March 4, 2014

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on CRIMINAL JUSTICE AND PUBLIC SAFETY to which was referred HB1362-FN,

AN ACT prohibiting enforcement of any federal law which bans certain firearms or limits firearm magazine size and establishing a criminal penalty for such enforcement. Having considered the same, report the same with the following Resolution: RESOLVED, That it is INEXPEDIENT TO LEGISLATE.

Rep. Laura C Pantelakos

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	CRIMINAL JUSTICE AND PUBLIC SAFETY
Bill Number:	HB1362-FN
Title:	prohibiting enforcement of any federal law which bans certain firearms or limits firearm magazine size and establishing a criminal penalty for such enforcement.
Date:	March 4, 2014
Consent Calendar:	NO
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill establishes a class B felony for a public servant or firearms dealer who enforces or attempts to enforce any federal restriction on firearms manufactured or owned exclusively in this state which remain within the borders of this state and also declares that any federal ban or other restriction on the ownership, possession, or registration of a firearm, firearm accessory, or magazine to be unenforceable. At the public hearing, the sponsor presented the committee with an amendment which would exempt firearms, firearms accessories, and ammunition manufactured in New Hampshire from federal law and regulation. The majority of the committee believes that it would be extremely difficult to regulate the purely intra-state commerce in firearms and that adding penalties for the enforcement of lawful federal firearms regulations is bad policy.

Vote 15-1.

Rep. Laura C Pantelakos
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB1362-FN, prohibiting enforcement of any federal law which bans certain firearms or limits firearm magazine size and establishing a criminal penalty for such enforcement. **INEXPEDIENT TO LEGISLATE.**

Rep. Laura C Pantelakos for **CRIMINAL JUSTICE AND PUBLIC SAFETY**. This bill establishes a class B felony for a public servant or firearms dealer who enforces or attempts to enforce any federal restriction on firearms manufactured or owned exclusively in this state which remain within the borders of this state and also declares that any federal ban or other restriction on the ownership, possession, or registration of a firearm, firearm accessory, or magazine to be unenforceable. At the public hearing, the sponsor presented the committee with an amendment which would exempt firearms, firearms accessories, and ammunition manufactured in New Hampshire from federal law and regulation. The majority of the committee believes that it would be extremely difficult to regulate the purely intra-state commerce in firearms and that adding penalties for the enforcement of lawful federal firearms regulations is bad policy. **Vote 15-1.**

Original: House Clerk

Cc: Committee Bill File

COMMITTEE REPORT

COMMITTEE: Criminal Justice

BILL NUMBER: HB 1362 - FN

TITLE: prohibiting enforcement of any federal law which bans certain firearms or limits firearm magazine size and establishing a criminal penalty for such enforcement

DATE: 3/3/14 CONSENT CALENDAR: YES NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- INTERIM STUDY (Available only 2nd year of biennium)

Amendment No.

STATEMENT OF INTENT:

HB 1362 Majority Report ITL (15-1)

This bill establishes a class B felony for a public servant or firearms dealer who enforces or attempts to enforce any federal restriction on firearms manufactured or owned exclusively in this state which remain within the borders of this state and also declares that any federal ban or other restriction on the ownership, possession, or registration of a firearm, firearm accessory, or magazine to be unenforceable. At the public hearing, the sponsor presented the committee with an amendment which would exempt firearms, firearms accessories, and ammunition manufactured in New Hampshire from federal law and regulation. The majority of the committee believes that it would be extremely difficult to regulate the purely intra-state commerce in firearms and that adding penalties for the enforcement of lawful federal firearms regulations is bad policy.

Rep. Laura Pantelakos

Rep. Laura Pantelakos

COMMITTEE VOTE: 15-1

RESPECTFULLY SUBMITTED,

- Copy to Committee Bill File
- Use Another Report for Minority Report

Rep. _____

For the Committee