

CACR 8 - AS INTRODUCED

2021 SESSION

21-0624

06/08

CONSTITUTIONAL AMENDMENT

CONCURRENT RESOLUTION **8**

RELATING TO: firearms.

PROVIDING THAT: the legislature make no law restricting the right to own, carry, or use firearms or firearm accessories.

SPONSORS: Rep. Roy, Rock. 32

COMMITTEE: Criminal Justice and Public Safety

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ANALYSIS

This constitutional amendment concurrent resolution prohibits the legislature from enacting any law restricting the right to own, carry, or use firearms or firearm accessories,

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type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

CONCURRENT RESOLUTION PROPOSING CONSTITUTIONAL AMENDMENT

RELATING TO: firearms.

PROVIDING THAT: the legislature make no law restricting the right to own, carry, or use firearms or firearm accessories.

*Be it Resolved by the House of Representatives, the Senate concurring, that the Constitution of New Hampshire be amended as follows:*

1 I. That article 2-a of the first part of the constitution be amended to read as follows:

2 [Art.] 2-a. [The Bearing of Arms.] All persons have the right to keep and bear arms in defense of  
3 themselves, their families, their property and the State. ***The Legislature shall enact no law that***  
4 ***limits the right of a person to own, carry, or use firearms or firearm accessories in any***  
5 ***manner that would create a greater burden than that in federal law. Any federal law that***  
6 ***infringes upon rights guaranteed in this New Hampshire constitution shall be***  
7 ***unenforceable by New Hampshire law enforcement.***

8 II. That the above amendment proposed to the constitution be submitted to the qualified  
9 voters of the state at the state general election to be held in November, 2022.

10 III. That the selectmen of all towns, cities, wards and places in the state are directed to  
11 insert in their warrants for the said 2022 election an article to the following effect: To decide  
12 whether the amendments of the constitution proposed by the 2021 session of the general court shall  
13 be approved.

14 IV. That the wording of the question put to the qualified voters shall be:

15 "Are you in favor of amending article 2-a of the first part of the constitution to read as follows:

16 "[Art.] 2-a. [The Bearing of Arms.] All persons have the right to keep and bear arms in defense of  
17 themselves, their families, their property and the State. The Legislature shall enact no law that  
18 limits the right of a person to own, carry, or use firearms or firearm accessories in any manner that  
19 would create a greater burden than that in federal law. Any federal law that infringes upon rights  
20 guaranteed in this New Hampshire constitution shall be unenforceable by New Hampshire law  
21 enforcement."

22 V. That the secretary of state shall print the question to be submitted on a separate ballot or  
23 on the same ballot with other constitutional questions. The ballot containing the question shall  
24 include 2 squares next to the question allowing the voter to vote "Yes" or "No." If no cross is made in  
25 either of the squares, the ballot shall not be counted on the question. The outside of the ballot shall  
26 be the same as the regular official ballot except that the words "Questions Relating to Constitutional  
27 Amendments proposed by the 2021 General Court" shall be printed in bold type at the top of the

**CACR 8 - AS INTRODUCED**  
**- Page 2 -**

1 ballot.

2 VI. That if the proposed amendment is approved by 2/3 of those voting on the amendment, it  
3 becomes effective when the governor proclaims its adoption.

4 VII. Voters' Guide.

5 AT THE PRESENT TIME, the legislature may enact a law that would limit a  
6 person's right to own, carry, or use firearms.

7 IF THE AMENDMENT IS ADOPTED, the legislature would be prohibited from  
8 enacting any law that would restrict a person's right to own, carry, or use firearms more than that  
9 right is restricted by federal law. In addition, New Hampshire law enforcement would be prohibited  
10 from enforcing any federal law that infringes upon rights guaranteed by the New Hampshire  
11 constitution.