

Committee of Conference Report on SB 154, prohibiting the state from enforcing a Presidential Executive Order that restricts or regulates the right of the people to keep and bear arms.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing section 1 with the following:

1 New Chapter; Federal Statutes, Regulations, and Presidential Executive Orders Relating to the Right to Keep and Bear Arms. Amend RSA by inserting after chapter 159-D the following new chapter:

#### CHAPTER 159-E

#### PRESIDENTIAL EXECUTIVE ORDERS AND STATUTORY LAW RELATING TO THE RIGHT TO KEEP AND BEAR ARMS

159-E:1 Federal Statutes, Regulations and Executive Orders Relating to the Right to Keep and Bear Arms. Pursuant to the general court's authority under Part II, Article 5 of the New Hampshire Constitution, the State of New Hampshire, a political subdivision of this state, or any person acting under color of state, county, or municipal law shall be prohibited from using any personnel or financial resources to enforce or administer, or assist in the enforcement or administration of, any law, act, rule, regulation, Presidential Executive Order, directive, practice, or procedure of the United States Government (collectively referred to in this chapter as "federal firearms law"), that is enacted, promulgated, or takes effect subsequent to January 20, 2021 and that is inconsistent with any law of this state regarding the regulation of firearms, ammunition, magazines, ammunition feeding devices, firearms components, firearms supplies, or knives. The absence of a provision in New Hampshire statute pertaining to a matter regulated by federal firearms law shall be construed as an inconsistency for the purpose of this chapter.

159-E:2 Application. Nothing in this chapter shall prevent a state, county, or local official from cooperating with or rendering aid or assistance to federal officials in any circumstance where there is reasonable suspicion to believe that a person who is the subject of an investigation for violation of federal firearms law covered by RSA 159-E:1 also has committed, is committing, or is about to

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35 commit a violation of New Hampshire law or a violation of a federal law, regulation, order, or  
36 practice not covered by RSA 159-E:1. Nothing in this chapter shall prevent a state, county, or local  
37 official from: (1) providing authorized federal officials, upon their request, with official state, county,  
38 or local records that are available to the public or which constitute criminal history records  
39 maintained by an agency of state, county, or local government, or (2) taking any other action  
40 necessary to fulfill or comply with the state's obligations under the National Crime Prevention and  
41 Privacy Compact approved and ratified in RSA 106-B:14, III.

42 159-E:3 Severability. If any provision of this chapter or the application thereof to any person or  
43 circumstances is held to be invalid, such invalidity shall not affect other provisions or applications of  
44 the chapter which can be given effect without the invalid provisions or applications, and, to this end,  
45 the provisions of this chapter are declared to be severable.

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The signatures below attest to the authenticity of this Report on SB 154, prohibiting the state from enforcing a Presidential Executive Order that restricts or regulates the right of the people to keep and bear arms.

Conferees on the Part of the Senate

Conferees on the Part of the House

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Sen. Bradley, Dist. 3

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Rep. Abbas, Rock. 8

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Sen. Carson, Dist. 14

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Rep. Lynn, Rock. 7

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Sen. Daniels, Dist. 11

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Rep. Osborne, Rock. 4

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Rep. Wallace, Rock. 12