

HB 305 - AS INTRODUCED

2023 SESSION

23-0472

04/08

HOUSE BILL

**305**

AN ACT                   relative to exceptions for violations related to Presidential Executive Orders governing the keeping or bearing of arms.

SPONSORS:           Rep. T. Mannion, Hills. 1

COMMITTEE:       Criminal Justice and Public Safety

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ANALYSIS

This bill limits the ability of state, local, or county law enforcement officials to aid federal officials in the investigation of criminal violations for federal firearms laws to cases where the state criminal violation is a class A felony only.

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                          Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT                    relative to exceptions for violations related to Presidential Executive Orders governing the keeping or bearing of arms.

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

1            1 Presidential Executive Orders and Statutory Laws Relating to the Right to Keep and Bear  
2 Arms. Amend RSA 159-E:2 to read as follows:

3            159-E:2 Application. In light of the long-standing practice of cooperation between federal, state,  
4 and local law enforcement agencies, nothing in this chapter shall prevent a state, county, or local  
5 official from cooperating with or rendering aid or assistance to federal officials in any circumstance  
6 where there is reasonable suspicion to believe that a person who is the subject of an investigation for  
7 violation of federal firearms law covered by RSA 159-E:1 also has committed, is committing, or is  
8 about to commit a ~~[violation of]~~ **class A felony as defined in** New Hampshire law. Nothing in this  
9 chapter shall prevent a state, county, or local official from providing authorized federal officials,  
10 upon their request, with official state, county, or local records that are available to the public or  
11 which constitute criminal history records maintained by an agency of state, county, or local  
12 government, or taking any other action necessary to fulfill or comply with the state's obligations  
13 under the National Crime Prevention and Privacy Compact approved and ratified in RSA 106-B:14,  
14 III, provided that the provisions of this chapter shall not provide for the distribution of information  
15 required to be destroyed pursuant to 18 U.S.C. section 922(t)(2)(C). Nothing in this chapter shall  
16 prohibit the judicial branch from entering protective order information into law enforcement  
17 databases.

18            2 Effective Date. This act shall take effect January 1, 2024.