

HB 1338 - AS INTRODUCED

2024 SESSION

24-2123  
09/08

HOUSE BILL

**1338**

AN ACT                   relative to New Hampshire's enforcement of the Military Selective Service Act.

SPONSORS:           Rep. T. Mannion, Hills. 1; Rep. Wheeler, Hills. 33; Rep. Read, Rock. 10; Rep. Phillips, Rock. 7; Rep. Noble, Hills. 2; Rep. D. Kelley, Hills. 32; Rep. Granger, Straf. 2; Rep. Coulon, Graf. 5

COMMITTEE:       State-Federal Relations and Veterans Affairs

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ANALYSIS

This bill prohibits state or local enforcement of the Military Selective Service Act except in times of foreign military invasion or declared war. This bill further repeals the state penalty provisions for lack of compliance with the Military Selective Service Act, and allows for the marking of "conscientious objector" when registering with the division of motor vehicles.

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                          Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to New Hampshire's enforcement of the Military Selective Service Act.

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

1 1 New Chapter; Government Actions Relating to the Military Selective Service Act. Amend RSA  
2 by inserting after chapter 110-E the following new chapter:

3 CHAPTER 110-F

4 GOVERNMENT ACTIONS RELATING TO THE MILITARY SELECTIVE SERVICE ACT

5 110-F:1 Government Action Relating to the Military Selective Service Act.

6 I. Pursuant to the general court's authority under Part II, Article 5 of the New Hampshire  
7 constitution, the state of New Hampshire, a political subdivision of this state, or any person acting  
8 under the color of state, county, or municipal law shall be prohibited from using any personnel or  
9 financial resources to enforce, administer, or cooperate with any law, act, rule, order, or regulation of  
10 the United States government or Executive Order of the President of the United States regarding  
11 locating, apprehending, detaining, or transporting any individual whom the federal government is  
12 seeking to locate, apprehend, detain, or transport, solely for lack of compliance with registration or  
13 conscription pursuant to the Military Selective Service Act, 50 U.S.C. app. section 451 et seq., as  
14 amended.

15 II. Paragraph I shall not apply if the United States has been invaded by a foreign military or  
16 if war has been declared by the United States Congress pursuant to Article 1, Section 8 of the United  
17 States Constitution.

18 110-F:2 Application. Nothing in this chapter shall prohibit a government actor's entering of  
19 registrations with the Selective Service System as authorized by RSA 263:5-c.

20 2 Drivers' Licenses; Issuance of Licenses; Compliance with Federal Selective Service  
21 Requirements. Amend RSA 263:5-c, II to read as follows:

22 II. The application form for a driver's license or driver's license renewal shall include a box  
23 to check off if the applicant is 18 years of age and wishes to authorize the department to submit the  
24 necessary information to the Selective Service System to register the applicant with the Selective  
25 Service System in compliance with federal law. The applicant shall not be required to provide his  
26 social security number for Selective Service registration purposes. The department shall not release  
27 any information pursuant to this section unless the Selective Service System has provided assurance  
28 to the department that the Selective Service System shall not transfer to any non-governmental  
29 agency any information which the applicant submitted to the department for registration purposes.  
30 ***The application form shall include a check box to indicate that the applicant is a***  
31 ***'conscientious objector', to be likewise submitted to the Selective Service System. If the***

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1 *Selective Service System is unable or unwilling to receive such information then no*  
2 *information regarding such persons being conscientious objectors, including identifying*  
3 *information, shall be transmitted to the Selective Service System.*

4       3 Repeal. RSA 187-A:38 through 187-A:41, relative to Selective Service registration and  
5 compliance, is repealed.

6       4 Effective Date. This act shall take effect 60 days after its passage.