

HB 1339-FN - AS INTRODUCED

2024 SESSION

24-2127  
09/08

HOUSE BILL

***1339-FN***

AN ACT                   relative to department of safety firearm background checks.

SPONSORS:           Rep. Stone, Sull. 8; Rep. Tenczar, Hills. 1; Rep. D. Mannion, Rock. 25; Rep. Janvrin, Rock. 40; Rep. McGough, Hills. 12

COMMITTEE:       Criminal Justice and Public Safety

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ANALYSIS

This bill requires the department of safety to be responsible for conducting the required firearm background checks for federal firearm licensees through NICS for all firearm transfers.

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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                          Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 department of safety firearm background checks.

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

1            1 Criminal Background Checks; Sale of Firearms; Criminal History Record and Protective Order  
2 Check. Amend RSA 159-D:1 to read as follows:

3            159-D:1    Sale of Firearms; Criminal History Record and Protective Order Check.    The  
4 department of safety [~~may~~] **shall** become the point of contact for the federal government for the  
5 purposes of the National Instant Criminal Background Check System (NICS). ***The department of***  
6 ***safety shall be responsible for conducting the required firearm background checks for***  
7 ***federal firearm licensees through NICS for all firearm transfers.***

8            2 Effective Date. This act shall take effect 60 days after its passage.

**HB 1339-FN- FISCAL NOTE**  
**AS INTRODUCED**

AN ACT relative to department of safety firearm background checks.

**FISCAL IMPACT:**    ☒ State                    ☐ County                    ☐ Local                    ☐ None

Estimated State Impact - Increase / (Decrease)				
	FY 2024	FY 2025	FY 2026	FY 2027
<b>Revenue</b>	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
<b>Expenditures</b>	\$0	\$296,000	\$296,000	\$304,000
<i>Funding Source(s)</i>	General Fund			
<b>Appropriations</b>	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

- Does this bill provide sufficient funding to cover estimated expenditures? ☒ No
- Does this bill authorize new positions to implement this bill? ☒ No

**METHODOLOGY:**

This bill seeks to have all firearms sales/transfers background record checks be performed by the Department of Safety, which would change the state from a partial point-of-contact, (POC), state for firearms purchased/transferred through a Federal Firearms Licensee, (FFL), to a, “full POC” state. Currently, with respect to firearms sales/transfers involving FFL’s, NH only performs background record checks on, “handguns” or “other”, while the Federal Bureau of Investigation National Instant Criminal Background Check System (FBI NICS) Section performs background record checks on the sale or transfer of any “long gun.”

Calendar year 2023 to-date (as of October 19, 2023), the New Hampshire State Police Gun Line has performed a total of nearly 55,000 “handgun” and/or “other” checks while the FBI NICS Section has performed a total of just over 27,000 “long gun” checks. The New Hampshire State Police Gun Line currently has eight (8) staff members and taking on performing the “long gun” checks would essentially increase the workload, given CY2023 numbers, by 49%. Therefore, this proposal would require an increase in staffing by four (4) positions to adequately handle the workload. Based on an assumed start date of July 1, 2024, the estimated cost for four (4) Program Assistant I positions (labor grade 15, starting step 1), including necessary equipment and IT expenses, would be approximately \$296,000 in FY 2025, \$296,000 in FY 2026, and \$304,000 in FY 2027.

**AGENCIES CONTACTED:**

Department of Safety