

**HB 76 - AS INTRODUCED**

2023 SESSION

23-0047

04/10

HOUSE BILL **76**

AN ACT imposing a waiting period between the purchase and delivery of a firearm.

SPONSORS: Rep. Kenney, Straf. 10; Rep. Vail, Hills. 6; Rep. Harriott-Gathright, Hills. 10; Rep. Heath, Hills. 41; Rep. Meuse, Rock. 37; Rep. Wilhelm, Hills. 40; Rep. Selig, Straf. 10

COMMITTEE: Criminal Justice and Public Safety

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ANALYSIS

This bill establishes a waiting period for the delivery of a firearm.

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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 imposing a waiting period between the purchase and delivery of a firearm.

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

1 1 New Chapter; Purchase and Delivery of a Firearm. Amend RSA by inserting after chapter  
2 159-E the following new chapter:

3 CHAPTER 159-F

4 PURCHASE AND DELIVERY OF A FIREARM

5 159-F:1 Purchase and Delivery of a Firearm.

6 I. No licensed importer, licensed manufacturer, licensed dealer, or licensed collector shall  
7 transfer, sell, trade, give, transport, or deliver a firearm to any person, other than a licensed  
8 importer, licensed manufacturer, licensed dealer, or licensed collector until a waiting period of 3 days  
9 has expired. "Licensed importer," "licensed manufacturer," "licensed dealer," "licensed collector,"  
10 and "firearm" shall have the same meaning as in 18 U.S.C. section 921.

11 II. A licensed importer, licensed manufacturer, licensed dealer, or licensed collector shall  
12 make available records of firearm sales for inspection by the Bureau of Alcohol, Tobacco, Firearms,  
13 and Explosives during normal business hours.

14 III. The waiting period shall not apply in the following circumstances:

15 (a) To the trade-in of a firearm to a licensed importer, licensed manufacturer, licensed  
16 dealer, or licensed collector.

17 (b) To the purchase of a rifle or shotgun, upon a person's successfully completing a  
18 minimum of a 16-hour hunter education course offered by the department of fish and game. A  
19 person who is exempt from the hunter education course offered by the fish and game department  
20 and holds a valid New Hampshire hunting license shall be exempt from the waiting period under  
21 this section for the purchase of a rifle or shotgun.

22 (c) When a rifle or shotgun is being purchased by any active duty state, county, or  
23 municipal law enforcement officer, active duty state or county correctional officer, or active duty  
24 member of the armed forces as defined in RSA 21:50, III.

25 (d) A person who:

26 (1) Has obtained a valid restraining order from a court under circumstances where  
27 the person feared for his or her own personal safety; or

28 (2) Expresses to a law enforcement officer a reasonable fear for his or her own  
29 personal safety.

30 159-F:2 Penalty. Any person who violates any provision of this chapter shall be guilty of a class  
31 B felony.

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