

HB 1064-FN - AS INTRODUCED

2024 SESSION

24-2403
09/05

HOUSE BILL ***1064-FN***

AN ACT relative to penalties for violation of protective orders.

SPONSORS: Rep. Santonastaso, Ches. 18

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill repeals the provision directing peace officers to seize any firearms, ammunition, and certain deadly weapons subsequent to an arrest for a violation of a protective order issued under the chapter.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through~~].
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.
24-2403
09/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT relative to penalties for violation of protective orders.

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

- 1 Repeal. RSA 173-B:9, I(b), relative to seizure of firearms, ammunition, or certain dangerous weapons, is repealed.
- 2 Effective Date. This act shall take effect January 1, 2025.

LBA
24-2403
10/9/23

**HB 1064-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to penalties for violation of protective orders.

FISCAL IMPACT: State County Local None

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

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

Estimated Political Subdivision Impact - Increase / (Decrease)				
	FY 2024	FY 2025	FY 2026	FY 2027
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

METHODOLOGY:

This bill repeals the provision directing peace officers to seize any firearms, ammunition, and certain deadly weapons subsequent to an arrest for a violation of a protective order issued under the chapter.

The Judicial Branch states it is not possible to estimate how this bill would impact the frequency and complexity of filings.

The New Hampshire Municipal Association indicates, under current law, most seizures of weapons are conducted by municipal police officers, and the municipal police department must store the firearms, ammunition, and certain deadly weapons. The Association reports there may be increased municipal costs associated with the bill. Officers and prosecutors will need to be trained on the changes, it may be necessary to devote additional time and resources investigating the underlying offense and the prosecutorial process, including seeking particular bail requirements related to the possession of firearms, ammunition, and those deadly weapons. The additional time and resources necessary will vary by jurisdiction. However, the Association assumes there may also be decreased municipal costs as officers, including evidence officers, will no longer need to seize firearms, ammunition, and certain deadly weapons, potentially saving officer time, as well as labeling and storage costs.

AGENCIES CONTACTED:

Judicial Branch and New Hampshire Municipal Association