

HB 1178 - AS INTRODUCED

2022 SESSION

22-2352

04/08

HOUSE BILL 1178

AN ACT prohibiting the state from enforcing any federal statute, regulation, or Presidential Executive Order that restricts or regulates the right of the people to keep and bear arms.

SPONSORS: Rep. Burt, Hills. 39; Rep. Stapleton, Sull. 5; Rep. Hopper, Hills. 2; Rep. Silber, Belk. 2; Rep. Nunez, Hills. 37; Rep. True, Rock. 4; Rep. Hill, Merr. 3; Rep. Kelsey, Hills. 7; Rep. Folsom, Graf. 11; Rep. Kofalt, Hills. 4; Sen. Avard, Dist 12; Sen. Ricciardi, Dist 9

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill prohibits the state of New Hampshire, a political subdivision of this state, or any person acting under the color of state, county, or municipal law from using any personnel or financial resources to enforce, administer, or cooperate with any law, act, rule, order, or regulation of the United States Government or Executive Order of the President of the United States that is inconsistent with any law of this state regarding the regulation of firearms, ammunition, magazines or the ammunition feeding devices, firearm components, firearms supplies, or knives.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

22-2352

04/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT prohibiting the state from enforcing any federal statute, regulation, or Presidential Executive Order that restricts or regulates the right of the people to keep and bear arms.

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

1 New Chapter; Federal Statutes, Regulations, and Presidential Executive Orders Relating to the Right to Keep and Bear Arms. Amend RSA by inserting after chapter 159-D the following new chapter:

CHAPTER 159-E

PRESIDENTIAL EXECUTIVE ORDERS AND STATUTORY LAW

RELATING TO THE RIGHT TO KEEP AND BEAR ARMS

159-E:1 Federal Statutes, Regulations, and Presidential Executive Orders Relating to the Right to Keep and Bear Arms. Pursuant to the general court's authority under Part II, Article 5 of the New Hampshire Constitution, the

state of New Hampshire, a political subdivision of this state, or any person acting under the color of state, county, or municipal law shall be prohibited from using any personnel or financial resources to enforce, administer, or cooperate with any law, act, rule, order, or regulation of the United States Government or Executive Order of the President of the United States that is inconsistent with any law of this state regarding the regulation of firearms, ammunition, magazines or the ammunition feeding devices, firearm components, firearms supplies, or knives. Silence in the New Hampshire Revised Statutes Annotated pertaining to a matter regulated by federal law shall be construed as an inconsistency for the purposes of this chapter.

159-E:2 Severability. If any provision of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

2 Effective Date. This act shall take effect upon its passage.