

**HB 1459-FN - AS INTRODUCED**

2024 SESSION

24-2488

12/10

HOUSE BILL ***1459-FN***

AN ACT relative to policies that municipalities are preempted from enacting.

SPONSORS: Rep. Hynes, Hills. 2

COMMITTEE: Municipal and County Government

ANALYSIS

This bill preempts municipalities from enacting ordinances relative to firearms, abortion, religion, and open containers of alcohol in public.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.  
24-2488  
12/10

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Four*

AN ACT relative to policies that municipalities are preempted from enacting.

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

1 New Section; Preemption; Firearms, Abortion and Open Containers of Alcohol in Public. Amend RSA 31 by inserting after section 39-e the following new section:

31:39-f Preemption; Firearms, Abortion, Religion and Open Containers of Alcohol in Public. No municipality shall enact any ordinance, bylaw, rule, or other regulatory provision that applies to:

- (a) Firearms as defined in RSA 173-B:1, XI.
- (b) Abortions as defined in RSA 132:32, I.
- (c) Religion, religious practices, or places of worship, unless the regulatory provision equally applies to non-religious activities.
- (d) Alcohol as defined in RSA 175:1, III in open containers in public.

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

LBA  
24-2488

11/30/23

**HB 1459-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT relative to policies that municipalities are preempted from enacting.

**FISCAL IMPACT:**     State             County             Local             None

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

**METHODOLOGY:**

This bill preempts municipalities from enacting ordinances relative to firearms, abortion, religion, and open containers of alcohol in public. The New Hampshire Municipal Association state this bill may impact the revenue generated by a local rule overseeing open alcohol containers. However, most of this proposal duplicates the current statute and would have no fiscal impact.

**AGENCIES CONTACTED:**

New Hampshire Municipal Association