Bill as Introduced

SB 140-FN – AS INTRODUCED

2003 SESSION

03-1101
04/10

SENATE BILL ***140-FN***

AN ACT establishing an optional renewal period for licenses to carry a pistol or revolver.

SPONSORS: Sen. Prescott, Dist 23; Rep. Itse, Rock 80

COMMITTEE: Judiciary

ANALYSIS

This bill allows qualified residents to elect to apply for a 5-year license to carry a pistol or revolver which would coincide with the applicant's driver's license renewal period.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

03-1101
04/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Three

AN ACT establishing an optional renewal period for licenses to carry a pistol or revolver.

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

1 Pistols and Revolvers; License to Carry. Amend RSA 159:6 to read as follows:

159:6 License to Carry.

I. The selectmen of a town or the mayor or chief of police of a city or some full-time police officer designated by them respectively, upon application of any resident of such town or city, or the director of state police, or some person designated by such director, upon application of a nonresident, shall issue a license to such applicant authorizing the applicant to carry a loaded pistol or revolver in this state for not less than [4] ***5*** years from the date of issue, if it appears that the applicant has good reason to fear injury to the applicant's person or property or has any proper purpose, and that the applicant is a suitable person to be licensed. Hunting, target shooting, or self-defense shall be considered a proper purpose. The license shall be valid for all allowable purposes regardless of the purpose for which it was originally issued. The license shall be in duplicate and shall bear the name, address, description, and signature of the licensee. The original shall be delivered to the licensee and the duplicate shall be preserved by the people issuing the same for [4] ***5*** years. When required, license renewal shall take place within the month of the [~~fourth~~] ***fifth*** anniversary of the license holder's date of birth following the date of issuance. The license shall be issued within 14 days after application, and, if such application is denied, the reason for such denial shall be stated in writing, the original of which such writing shall be delivered to the applicant, and a copy kept in the office of the person to whom the application was made. The fee for licenses issued to residents of the state shall be $10, which fee shall be for the use of the law enforcement department of the town granting said licenses; the fee for licenses granted to out-of-state residents shall be $20, which fee shall be for the use of the state. The director of state police is hereby authorized and directed to prepare forms for the licenses required under this chapter and forms for the application for such licenses and to supply the same to officials of the cities and towns authorized to issue the licenses. No other forms shall be used by officials of cities and towns. The cost of the forms shall be paid out of the fees received from nonresident licenses.

II. As an alternative to the application procedure in paragraph I, a resident of this state may apply for a license to carry a loaded pistol or revolver in this state for not less than 5 years from the date of issue and coinciding with the applicant's driver's license renewal date as established in RSA 263:14. The application process and fee for residents of this state exercising this option shall be as provided in paragraph I, provided that the application fee may be prorated during the period in which an applicant changes from a

4-year license to a 5-year license.

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

LBAO
03-1101
1/30/03

SB 140-FN - FISCAL NOTE

AN ACT establishing an optional renewal period for licenses to carry a pistol or revolver.

FISCAL IMPACT:

Due to time constraints, the Office of Legislative Budget Assistant is unable to provide a fiscal note for this bill at this time. When completed, the fiscal note will be forwarded to the Senate Clerk's Office.

LBAO
03-1101
Revised 2/18/03

SB 140 FISCAL NOTE

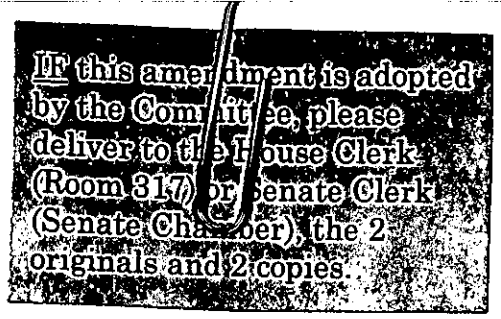
AN ACT establishing an optional renewal period for licenses to carry a pistol or revolver.

FISCAL IMPACT:

The Legislative Budget Assistant has determined that this legislation has a total fiscal impact of less than $10,000 in each of the fiscal years 2003 through 2007.

Amendments

Senate Judiciary
February 21, 2003
2003-0396s
04/05



Amendment to SB 140-FN

Amend RSA 159:6, II as inserted by section 1 of the bill by replacing it with the following:

II. As an alternative to the application procedure in paragraph I, a resident of this state may request that license renewal under this section coincide with the applicant's driver's license renewal date as established in RSA 263:14. The application process and fee for residents of this state exercising this option shall be as provided in paragraph I, provided that the application fee may be prorated during the period in which an applicant changes from a 4-year license to a 5-year license.

Committee Minutes

Judiciary Committee

Hearing Report

To: Members of the Senate

From: Susan Duncan
Senior Legislative Aide

Re: **SB 140-FN** – *AN ACT establishing an optional renewal period for licenses to carry a pistol or revolver*

Hearing date: February 20, 2003

Members present: Senators Peterson, Foster, Clegg and Roberge

Members absent: Senator Sapareto

Sponsor(s): Senator Prescott; Representative Itse

What the bill does: This bill allows qualified residents to elect to apply for a 5-year license to carry a pistol or revolver which would coincide with the applicant's driver's license renewal period.

Who supports the bill: Senator Prescott

Who opposes the bill: No one spoke in opposition

Summary of testimony received:

- Senator Prescott presented amendment # 2003-0391s.
- The legislation does two things:
  - first, it changes the renewal period from four years to five years; and
  - second, it allows the license to carry to expire at the same time the driver's licenses expires (as a reminder).
- This allows a non-threatening way to renew a license to carry and may provide a reminder without creating a database.
- This applies only to in-state residents.

Funding: See fiscal note (less than $10,000 impact)

Action: Senator Roberge moved Ought to Pass with Senator Prescott's amendment. Senator Clegg seconded the motion. The committee voted 4 to 0 in support. Senator Clegg will report the bill out of committee.

sfd
[file: SB 140-FN report]
Date: February 25, 2003

LYB

Date: February 20, 2003
Time: 4:00 p.m.
Room: State House, Room 105-A

The Senate Committee on Judiciary held a hearing on the following:

SB 140 establishing an optional renewal period for licenses to carry a pistol or revolver

Members of Committee present: Senator Peterson
Senator Foster
Senator Clegg
Senator Roberge

The Chair, Senator Andrew R. Peterson, opened the hearing on SB 140, by calling on Senator Prescott, prime sponsor of the bill, to provide testimony.

Senator Russell E. Prescott, D. 23: Thank you very much, Senator Peterson. For the record, I'm Russell Prescott from District 23. I have an amendment that you have before you for SB 140. **Please see Amendment #2003-0391s attached hereto and referred to as Attachment #1.**

SB 140, in the first part, is a change of the four-year license to carry a pistol to a five-year license. It is just striking out four and putting in five in Part I of the existing law where appropriate.

The Amendment deals with Part II. The original language that was drafted by Legislative Services I felt was very unclear and I worked on it to have this amendment before you. It says that Part II is an alternative to the application procedure whereby a resident may request that license renewal under this section coincide with the applicant's driver's license renewal date as established in RSA 263:14. This application process and fee for residents of the State exercising this option shall be as provided in paragraph I of this bill and provided that the application fee may be prorated during the period in which an applicant changes from a four-year license to a five-year license.

My driver's license in my wallet, I believe I can put my hands on it quickly, has an expiration date of 10/19/2006. So, if I wanted to have a license to carry a pistol or a revolver and I wanted it to not coincide with five years

from now for the renewal, I would take the second option. I would ask that if you renewed in October 2006, that would be three years from now and I hopefully would pay $6.00 instead of $10.00, as it is for a five-year license, if this bill passes.

The State of New Hampshire, in RSA 263:14, has renewals for a license for driving every five years and this is the impetus of the bill. That it will provide a non-threatening way for licensees of a pistol license to get a reminder in the mail that you need to renew your driver's license and maybe it will signal to them that they need to renew their pistol license without having any records from the State as a data base of licenses to carry since licenses are conducted, I believe, in town after town here in New Hampshire.

That is the purpose of the bill. Thank you very much.

Senator Andrew R. Peterson, D. 11: Thank you, Senator. Are there questions from the Committee? Seeing none, thank you for bringing us the bill. Do I have a sheet on this bill? Is Senator Prescott the only one? Thank you very much for brining the bill.

Senator Russell E. Prescott, D. 23: You're welcome.

Senator Andrew R. Peterson, D. 11: Are we comfortable to move ahead on this legislation?

Senator Sheila Roberge, D. 9: Yes.

Senator Andrew R. Peterson, D. 11: Senator Foster?

Hearing concluded at 4:05 p.m.

Respectfully submitted,

L. Gail Brown
Senate Secretary
2/22/03

1 Attachment

ATTACHMENT #1

Sen. Prescott, Dist. 23
February 20, 2003
2003-0391s
04/10

Amendment to SB 140-FN

Amend RSA 159:6, II as inserted by section 1 of the bill by replacing it with the following:

II. As an alternative to the application procedure in paragraph I, a resident of this state may request that license renewal under this section coincide with the applicant's driver's license renewal date as established in RSA 263:14. The application process and fee for residents of this state exercising this option shall be as provided in paragraph I, provided that the application fee may be prorated during the period in which an applicant changes from a 4-year license to a 5-year license.

Speakers

2/20

SENATE JUDICIARY COMMITTEE

Date 2/18/03 Time ~~11:00~~ a.m. 3:45 Public Hearing on **SB 140**

SB 140 - establishing an optional renewal period for licenses to carry a pistol or revolver.

Please check box(es) that apply.

SPEAKING	FAVOR	OPPOSED	NAME (Please print)	REPRESENTING
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Testimony

New Hampshire Wildlife Federation

Affiliate of the National Wildlife Federation

54 Portsmouth Street, Concord, NH 03301

Phone: (603) 224-5953 *E-mail: nhwf@aol.com*
Fax: (603) 226-7147 *Web: www.nhwf.org*

SENATE BILL 140-FN

Good morning, Mr. Chairman and members of the Senate Judiciary Committee. For the record my name is William F Carney and I reside in the Town of Bow.
I am here today representing the New Hampshire Wildlife Federation (NHWF) as a non-paid member of the board of directors.
The New Hampshire Wildlife Federation is a membership organization representing over 7300 members and some 50 associated sportsmen's clubs located in New Hampshire.

The New Hampshire Wildlife Federation is in complete agreement with this bill.

This bill if passed will make it easier for New Hampshire residents to renew their permit to carry during the same time frame that they have to renew their driving license every 5 years. The five-year renewal will serve as a reminder for individuals to renew their permit to carry, as some city and town do not send out renewal notices when the permit to carry expires. For myself my permit to carry expires the end of October but my driving license comes due at the end of March and my driving license renewal will serve as a reminder to renew both.

We respectfully request your committee vote this bill ought to pass.

We thank the committee for allowing the NHWF to testify on this bill.

Respectfully,

William F Carney
Representative New Hampshire Wildlife Federation

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Date:

THE COMMITTEE ON Judiciary

to which was referred Senate Bill 140

AN ACT establishing an optional renewal period for licenses to carry a pistol or revolver

VOTE: 4-0

2003-0396s

Having considered the same, report the same with the following amendment and recommend that the bill: **AS AMENDED OUGHT TO PASS.**

Senator Robert Clegg, Jr.
For the Committee

SB140 Docket

Next|Prev|Results List|Main|Bill Status

Bill Title: establishing an optional renewal period for licenses to carry a pistol or revolver.

Date	Body	Description
1/30/2003	S	Introduced and Ref. to Judiciary; SJ 9, Pg.37
2/7/2003	S	Hearing; === CANCELLED === February 18, 2003, Room 105-A, SH, 11:00 a.m.; SC9
2/18/2003	S	Hearing; === RESCHEDULED === February 20, 2003, Room 105-A, SH, 3:45 p.m.; SC10A
2/28/2003	S	Committee Report; Ought to Pass with Amendment{0396}, [03/06/03]; SC12, Pg.5
3/6/2003	S	Committee Amendment{0396}, AA, VV; SJ 7, Pg.71
3/6/2003	S	Ought to Pass with Amendment{0396}, RC 23Y-0N, MA; Refer to Finance [Rule 26]; SJ 7, Pg.71
3/28/2003	S	Committee Report; Ought to Pass, [04/03/03]; SC16
4/3/2003	S	Ought to Pass, MA, VV; OT3rdg; SJ 11, Pg.242
4/3/2003	S	Passed by 3rd Reading Resolution; SJ 11, Pg.266
4/8/2003	H	03/26/2003 Introduced and ref to Crim Just & PSfty; HJ34, p1086 (Also see Perm Journal)
4/8/2003	H	Hearing Apr 22 10:30 RM204,LOB
4/23/2003	H	Subcom Work Session Apr 29 9:30 RM204,LOB
4/30/2003	H	Maj Report OTP/AM for May 8 (Vote 11-0;CC)
4/30/2003	H	Prop Comm Am{1431}; HC 38, p1220-1221
5/8/2003	H	Removed from Consent Cal, req Rep Welch; HJ 40, p1276
5/8/2003	H	Recommitted to Crim Just & PSfty, Rep Welch MA VV; HJ 40, p1288-1289
5/13/2003	H	Maj Report ITL for May 29 (Vote 17-1;Reg)
5/29/2003	H	ITL Report Adopted VV; HJ 45, p1458

Next|Prev|Results List|Main|Bill Status

Docket Abbreviations