

HB 381-FN - AS AMENDED BY THE SENATE

05/08/2025 1826s

2025 SESSION

25-0447

06/08

HOUSE BILL **381-FN**

AN ACT limiting liability for certain design features of firearms.

SPONSORS: Rep. Belcher, Carr. 4; Rep. Corcoran, Hills. 28; Rep. Tom Mannion, Hills. 1; Rep. Sabourin, Rock. 30

COMMITTEE: Criminal Justice and Public Safety

AMENDED ANALYSIS

This bill limits liability for firearm manufacturers regarding specific design features.

.....

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT limiting liability for certain design features of firearms.

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

1 1 New Section; Limitation of Actions Against Firearm Manufacturers. Amend RSA 507-D by
2 inserting after section 5 the following new section:

3 507-D:6 Limitation of Actions Against Firearm Manufacturers.

4 I. In any product liability action involving a firearm, the manufacturer of the firearm shall
5 not be liable in tort under any theory of defective product design, failure to warn, negligence, strict
6 product liability, or any other claim based on the absence or presence of any of the following
7 features:

8 (a) A magazine disconnect mechanism;

9 (b) A loaded chamber indicator;

10 (c) Authorized user recognition technology; or

11 (d) An external mechanical safety, including but not limited to a hinged, pivoting, or
12 tabbed trigger safety.

13 II. Nothing in this section shall be construed to limit liability for a firearm manufacturer in
14 cases where the claimant establishes that the firearm contained an actual manufacturing defect or
15 failed to operate in a manner consistent with the manufacturer's express warranty or
16 representations.

17 III. This section shall not alter or limit any other defense available to firearm manufacturers
18 under RSA 507-D or any other applicable law.

19 IV. If any provision of this section or the application thereof to any person or circumstance is
20 held invalid, such invalidity shall not affect other provisions or applications of the chapter which can
21 be given effect without the invalid provision or application, to the fullest extent permitted by law,
22 and to this end the provisions of this chapter are declared to be severable.

23 V. In this section:

24 (a) "Firearm" shall have the same meaning as provided in RSA 173-B:1, XI.

25 (b) "Magazine disconnect mechanism" shall mean a mechanism that prevents a
26 semiautomatic firearm from firing when the detachable magazine is not fully inserted in the firearm.

27 (c) "Loaded chamber indicator" shall mean a mechanism or feature intended to indicate
28 to the user that a cartridge is in the firing chamber of a firearm.

29 (d) "Authorized user recognition technology" shall mean a mechanism, device, or
30 technology applied to a firearm that prevents a user not authorized by the owner from firing the
31 firearm.

HB 381-FN - AS AMENDED BY THE SENATE

- Page 2 -

1 (e) "External manual safety" shall mean a manually operated mechanism that, when
2 engaged, blocks the trigger from functioning.

3 2 Applicability. RSA 507-D:6 as inserted by section 1 of this act shall apply to any action filed
4 on or after the effective date of this section. It shall not affect any claim that has been fully
5 adjudicated, settled, or dismissed prior to the effective date of this section.

6 3 Effective Date. This act shall take effect upon its passage.

**HB 381-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT exempting firearms and firearm accessories manufactured for in-state use only from the National Firearm Act.

FISCAL IMPACT:

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund</i>	None			
Expenditures*	Indeterminable			
<i>Funding Source</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source</i>	None			

*Expenditure = Cost of bill *Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	Indeterminable			
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	Indeterminable			

METHODOLOGY:

This bill adds, deletes, or modifies a criminal penalty, or changes statute to which there is a penalty for violation. Therefore, this bill may have an impact on the judicial and correctional systems, which could affect prosecution, incarceration, probation, and parole costs, for the state, as well as county and local governments. A summary of such costs can be found at: https://gencourt.state.nh.us/lba/Budget/Fiscal_Notes/JudicialCorrectionalCosts.pdf

AGENCIES CONTACTED:

Judicial Branch, Judicial Council, Department of Justice, Department of Corrections, New Hampshire Association of Counties, and New Hampshire Municipal Association