

HB 1049-FN - AS INTRODUCED

2026 SESSION

26-2445  
09/06

HOUSE BILL            ***1049-FN***

AN ACT                relative to storage requirements for firearms.

SPONSORS:            Rep. Meuse, Rock. 37; Rep. Horrigan, Straf. 10; Rep. Seibert, Hills. 21; Rep. Selig,  
Straf. 10; Rep. M. Smith, Straf. 10; Sen. Altschiller, Dist 24

COMMITTEE:          Criminal Justice and Public Safety

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ANALYSIS

This bill requires firearms to be securely stored when not in use to prevent unauthorized access by minors. It also requires that a locking safety device accompany all private and commercial firearms transactions and expands the criminal penalties for negligent storage of firearms.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to storage requirements for firearms.

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

1       1 Purpose. The general court finds that it is in the best interests of child protection and public  
2 safety to minimize the occurrence of incidents involving negligent storage of firearms by enacting  
3 safe firearms storage requirements and corresponding penalties for violations that will reduce the  
4 risk of an unsecured weapon falling into the hands of a minor, or a prohibited party.

5       2 New Section; Secure Firearm Storage. Amend RSA 159 by inserting after section 12 the  
6 following new section:

7       159:12-a Secure Firearm Storage Required.

8       I. In this section:

9           (a) "Commercial sale" means a transfer of ownership of a firearm listed or made  
10 available for public sale or exchange including but not limited to, a weapon purchased or exchanged  
11 for other goods and services at a licensed firearms dealer, a gun show, or via the commercial website  
12 of a dealer.

13           (b) "Firearm" means any weapon or device designed to be used as a weapon, which will,  
14 is designed to, or may be readily converted to, expel a projectile by the action of an explosive,  
15 explosion, or other means of combustion, or the frame or receiver of such a device, provided the term  
16 "firearm" shall not include the term "antique firearm" as defined in 18 U.S.C. section 921(a)(16), or a  
17 weapon that has been rendered permanently inoperable and is incapable of being readily restored to  
18 a firing condition.

19           (c) "Personalized firearm" means a firearm that has, as part of its original manufacture,  
20 incorporated design technology that allows the firearm to be fired only by the authorized user and  
21 prevents any of the safety characteristics of the firearm from being readily deactivated by anyone  
22 other than the authorized user. The technology limiting the firearm's operational use may include,  
23 but is not limited to, fingerprint verification, magnetic encoding, radio frequency tagging, and other  
24 automatic user identification systems utilizing biometric, mechanical, or electronic systems.

25           (d) "Licensed firearms dealer," "licensed dealer," or "dealer" means a person who has a  
26 valid federal firearms dealer license under 18 U.S.C. section 923(a), and all additional licenses  
27 required by state or local law to engage in the business of selling or transferring firearms.

28           (e) "Private sale" means a transfer of ownership of a firearm between two parties where  
29 neither party is a licensed firearms dealer.

1 (f) "Safety device" means a device which has been specifically designed and  
2 manufactured for the purpose of allowing the owner to temporarily disable or securely store one or  
3 more firearms and may include:

4 (1) Trigger locks, cable locks, or other devices featuring a combination lock, key,  
5 digital key, radio frequency tag, automated fingerprint identification system, biometric key, voice  
6 recognition key, electronic key, or other personalized locking mechanism capable of preventing the  
7 firearm from being discharged by a person not authorized by the owner; or

8 (2) A lockbox or storage device with a combination lock, key, digital key, radio  
9 frequency tag, automated fingerprint identification system, biometric key, voice recognition key,  
10 electronic key, or other personalized locking mechanism capable of preventing access to the firearm  
11 by a person not authorized by the owner.

12 (g) "Seller" means a person offering a firearm for commercial sale, private sale, or  
13 barter.

14 II.(a) Firearms shall be securely stored when they are not in use to prevent access by  
15 unsupervised minors and other unauthorized users. A person responsibly and securely stores a  
16 firearm when:

17 (1) The person carries the firearm on his or her person or within such close  
18 proximity thereto that the person can readily retrieve and use the firearm as if the person carried  
19 the firearm on his or her person;

20 (2) The firearm is kept in a locked gun safe or other secure container or in a manner  
21 that a reasonable person would believe to be secure and a juvenile or resident of the premises who is  
22 ineligible to possess a firearm does not have access to the key, combination, or other unlocking  
23 mechanism necessary to open the safe or container;

24 (3) The person properly installs a locking safety device on the firearm and a juvenile  
25 or resident of the premises who is ineligible to possess a firearm does not have access to the key,  
26 combination, or other unlocking mechanism necessary to remove the locking device; or

27 (4) The firearm is a personalized firearm and the safety characteristics of the  
28 firearm are activated.

29 (b)(1) A person commits unlawful storage of a firearm when the person fails to  
30 responsibly and securely store a firearm, as described in subparagraph II(a) of this section, upon any  
31 premises that the person owns or controls and the person knows or reasonably should know that a  
32 juvenile can gain access to the firearm without the permission of the juvenile's parent or guardian.

33 (2) It is an affirmative defense to the offense of unlawful storage of a firearm that a  
34 juvenile gained possession of, and used, the firearm for the purpose of exercising the rights  
35 contained in RSA 627:4 or in defense of livestock.

36 (c) This section shall not apply to storing an antique firearm as defined in 18 U.S.C.  
37 section 921(a)(16).

1 III.(a) No firearm shall be sold or transferred via commercial sale or private sale unless the  
2 sale or transfer includes or is accompanied by a firearm safety device.

3 (b) No firearm manufactured in this state shall be sold or transferred commercially or  
4 privately unless the sale or transfer includes or is accompanied by an approved firearm safety  
5 device.

6 IV. Paragraph III shall not apply to:

7 (a) Antique firearms as defined in 18 U.S.C. section 921(a)(16).

8 (b) Personalized firearms as defined in RSA 159:12-a, I(c).

9 V. Sales or transfers shall be exempt from the requirements of paragraph III if the  
10 purchaser or transferee presents to the seller or owner a working safety or storage device when  
11 accepting delivery of the firearm.

12 VI. Any person who commits unlawful storage of a firearm or any licensed firearms dealer or  
13 private seller who violates the provisions of paragraph III shall be guilty of a violation and shall be  
14 fined not more than \$1,000.

15 3 Negligent Storage of Firearms. Amend RSA 650-C:1, III-IV to read as follows:

16 III. Any person who stores or leaves on premises under that person's control a loaded  
17 firearm~~], and who knows or reasonably should know that a child is likely to gain access to the~~  
18 ~~firearm]~~ **or an unloaded firearm with unsecured compatible ammunition in such a manner**  
19 **that it is available to a child** without the **supervision or** permission of the child's parent or  
20 guardian, is guilty of ~~[a violation]~~ **an offense** if a child gains access to a firearm and:

21 (a) The firearm is used in a reckless or threatening manner;

22 (b) The firearm is used during the commission of any misdemeanor or felony; ~~[or]~~

23 (c) The firearm is negligently or recklessly discharged;

24 **(d) The firearm is used by a child in a suicide attempt;**

25 **(e) The firearm is exhibited or displayed to others; or**

26 **(f) The firearm is taken off the owner's property and is brought by the child onto**  
27 **the grounds of any building or facility, public or private, where other children are present.**

28 IV. Any person who violates paragraph III shall be ~~[fined not more than \$1,000]~~ **guilty of a**  
29 **class B misdemeanor. If the child discharges a weapon obtained as a result of negligence**  
30 **resulting in the injury or death of the child or of another person, such person shall be**  
31 **guilty of a class A misdemeanor.**

32 4 Effective Date. This act shall take effect January 1, 2027.

**HB 1049-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT relative to storage requirements for firearms.

**FISCAL IMPACT:**

<b>Estimated State Impact</b>				
	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>FY 2029</b>
<b>Revenue</b>	\$0	\$0	\$0	\$0
<i>Revenue Fund</i>	None			
<b>Expenditures*</b>	Indeterminable			
<i>Funding Source</i>	General Fund			
<b>Appropriations*</b>	\$0	\$0	\$0	\$0
<i>Funding Source</i>	None			

\*Expenditure = Cost of bill

\*Appropriation = Authorized funding to cover cost of bill

<b>Estimated Political Subdivision Impact</b>				
	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>FY 2029</b>
<b>County Revenue</b>	\$0	\$0	\$0	\$0
<b>County Expenditures</b>	Indeterminable			
<b>Local Revenue</b>	\$0	\$0	\$0	\$0
<b>Local Expenditures</b>	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](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