

HB 700-FN - AS INTRODUCED

2025 SESSION

25-0421

09/11

HOUSE BILL            **700-FN**

AN ACT                relative to orders of protection.

SPONSORS:            Rep. Potenza, Straf. 19; Rep. Bernardy, Rock. 36; Rep. Kuttab, Rock. 17; Rep. Tom Mannion, Hills. 1; Rep. Cambrils, Merr. 4; Rep. Soti, Rock. 35; Sen. Gannon, Dist 23; Sen. Murphy, Dist 16

COMMITTEE:          Criminal Justice and Public Safety

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ANALYSIS

This bill requires certain individuals seeking certain orders of protection to be informed and to attest that they understand that material false statements made in the petition would be subject to prosecution for perjury. The bill also allows for individuals seeking certain orders of protection in non-domestic violence situations, to elect not to seek removal of firearms or deadly weapons from the possession of the restrained party.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to orders of protection.

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

1 1 New Chapter; Civil Restraining Orders. Amend RSA by inserting after chapter 539 the  
2 following new chapter:

3 CHAPTER 539-A

4 CIVIL RESTRAINING ORDERS

5 539-A:1 Civil Restraining Order; Firearms.

6 I. In any action in the superior court to grant a restraining order against any person, issued  
7 under the court's equitable jurisdiction and not according to any other provision of law, the court  
8 shall not require the restrained individual to surrender any firearm, ammunition, or deadly weapon  
9 unless:

10 (a) The person seeking the restraining order requests that relief in the petition; and

11 (b) The court finds that surrender of any firearms, ammunition, or deadly weapon is  
12 necessary to protect the safety of the person seeking the restraining order.

13 II. In any action under paragraph I, the court shall require the person seeking the  
14 restraining order to be informed and to sign acknowledging his or her understanding that any  
15 material false statement made in the petition may be prosecuted for perjury pursuant to RSA 641:1.

16 2 Stalking; Orders of Protection. Amend RSA 633:3-a, III-a to read as follows:

17 III-a. A person who has been the victim of stalking as defined in this section may seek relief  
18 by filing a civil petition in the district court in the district where the plaintiff or defendant resides.  
19 ***The court shall require the person filing the petition to be informed and to sign***  
20 ***acknowledging his or her understanding that any material false statement made in the***  
21 ***petition may be prosecuted for perjury pursuant to RSA 641:1.*** Upon a showing of stalking by  
22 a preponderance of the evidence, the court shall grant such relief as is necessary to bring about a  
23 cessation of stalking. The types of relief that may be granted, the procedures and burdens of proof to  
24 be applied in such proceedings, the methods of notice, service, and enforcement of such orders, and  
25 the penalties for violation thereof shall be the same as those set forth in RSA 173-B.  
26 ***Notwithstanding this paragraph, if the court finds that there is no domestic violence as***  
27 ***defined in RSA 173-B, the court shall not require the restrained individual to surrender***  
28 ***any firearm, ammunition, or deadly weapon unless:***

29 (a) ***The person seeking the order requests that relief in the petition; and***

30 (b) ***The court finds that surrender of any firearms, ammunition, or deadly***  
31 ***weapon is necessary to protect the safety of the person seeking the order.***

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1           3 Effective Date. This act shall take effect January 1, 2026.

LBA  
25-0421  
1/2/25

**HB 700-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT                    relative to orders of protection.

**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 2026 through 2028.

**AGENCIES CONTACTED:**

Judicial Branch