

Senate Judiciary Committee

Brendan Bunnell 271-4063

SB 554, repealing the limitation of liability for certain design features of firearms.

Hearing Date: February 3, 2026

Time Opened: 1:11 p.m.

Time Closed: 1:44 p.m.

Members of the Committee Present: Senators Gannon, Abbas, Carson, Altschiller and Reardon

Members of the Committee Absent: None

Bill Analysis: This bill repeals the limitation of liability for certain design features of firearms.

Sponsors:

Sen. Altschiller

Sen. Watters

Sen. Reardon

Sen. Rosenwald

Sen. Perkins Kwoka

Sen. Long

Sen. Fenton

Rep. Bay

Rep. Selig

Who supports the bill: 135 individuals signed in support of this bill. For a complete list of those who signed in support please email Brendan.Bunnell@gc.nh.gov.

Who opposes the bill: Aubrey Freedman, Julie Smith, Diane Richardson, Kathleen Tereshko, Simon Berrio, Curtis Howland, Timothy Finney, Rosina Lis, Timothy Lis, Kathleen Malsbenden, Daniel Richardson, Teresa Brooks, Rep. Timothy Horrigan, James Henderson, Jesse Medeiros, Pamela Harders, Bill Alleman.

Who is neutral on the bill: None.

Summary of testimony presented:

Senator Altschiller (SD-24), explained that this bill would repeal a mistake made in last year's HB 551. She explained that New Hampshire residents are threatened by faulty and poorly designed firearms and that this threat is compounded by the federal Protection of Lawful Commerce and Arms act and New Hampshire's RSA 507-D:6. She argued that New Hampshire consumers, including those affected by faulty firearms, have been stripped of their right to legal justice.

- Explained that the federal Protection of Lawful Commerce and Arms act was not an impenetrable shield for manufacturers, and that consumers had carved out a few narrow avenues to hold the industry accountable.

- Stated that while Delaware, California, New York, and Virginia have established laws codifying responsible standards of conduct for firearms manufacturers, New Hampshire has headed in the opposite direction with last year's bill, which has insulated manufacturers from legal recourse.
- Examined the case of the Sig Sauer P320, which the Senator explained was a firearm prone to misfiring. Sig Sauer did not face serious legal recourse, and buried information about the issue on their website instead of undertaking meaningful action or issuing a recall. The company permitted a voluntary upgrade to fix the issue but did not take decisive action. 500,000 P320s had been in circulation as of the discovery of the issue.
- Argued that other industries are subjected to far greater pressure, citing notable recalls including those conducted by The Laundress, a bounce-house manufacturer, Drive DeVillis healthcare, and one particularly notable case when General Motors recalled 30.4 million vehicles worldwide after faulty ignition switches were linked to over a hundred deaths.
- Pointed out that gun violence is now the leading cause of death among children and teenagers, surpassing car accidents. Gun violence took the lives of 4,357 children aged 1-19 in 2020.
- Argued that the impetus for last year's SB 551 came from Sig Sauer, who has a major headquarters in Newington, New Hampshire. Sig Sauer has 3,200 employees and is incorporated in Delaware, a state that has laws allowing consumers to hold gun manufacturers accountable.
- Explained that, as of late 2025, there have been 125 individual cases filed related to injuries from the firearm, including those filed by law enforcement. These cases have resulted in various results, but one case in Georgia awarded 2.35 million dollars in damages. The Senator argued that the jury in that case was asked to consider many of the issues now excluded from consideration in New Hampshire.
- Stated that Sig Sauer has already used the law implemented last year to attempt to have a federal court dismiss a case against them, or to ask that they break up and transfer the cases of the 22 plaintiffs to the districts where those plaintiffs reside.
- Explained that firearms are currently exempt from oversight by the US Consumer Product Safety Commission, the agency responsible for issuing recall and regulating safety. The firearms industry largely self-regulates as a result.
- Argued that holding firearms manufacturers responsible would not drive industry out of New Hampshire, as the state is one of the top firearms manufacturers in the country. In 2022, 2.9 million firearms or 21.6% of the total

US production were made in the state. The industry is supported by a generous tax structure, skilled laborers, and significant capital investment across multiple companies, totaling roughly 1 billion dollars in market size and employing 3,800 people across the state.

- Stated that the legal immunities enjoyed by firearms manufacturers harm consumers and shield those companies from the financial incentives that would force them to create safe and quality products.
- Argued that New Hampshire firearms consumers deserve the same protections as consumers in every other state and with every other industry. The Senator urged the committee to weigh the safety of New Hampshire residents and the fundamental fairness of holding all industries to the same standard.
- Senator Gannon stated that the law passed the prior year had not absolved gun manufacturers of defective firearms. He explained that the law had been concerned with the status of certain optional features of a firearm if they were missing, but that the manufacturer would still be liable for safety issues.
 - Senator Altschiller responded that the bill had made certain safety features optional, and gave the companies immunity from legal repercussions for these issues. She explained that companies like Sig Sauer had lobbied for the bill to get out of responsibility for these issues.
- Senator Gannon asked if it was correct that there was no major defect, but that there had been a missing third safety trigger past the two that the firearm usually possesses.
 - Senator Altschiller responded that this was not correct, and that Sig Sauer had used the bill to dismiss multiple lawsuits brought against them.
- Senator Abbas asked he understood correctly that Senator Altschiller was arguing that no product liability claim could be brought against firearm manufacturers in New Hampshire.
 - Senator Altschiller stated that this was not correct, and that there were product liability claims made against one specific company and that, after a multi-million dollar verdict, the company chose to send their lobbyists to the legislature to change the law rather than to issue a recall or redo the product.
- Senator Abbas asked about the specific firearms feature that Senator Altschiller was referring to, and asked to clarify if it was a trigger lock safety.

- Senator Altschiller stated that she would need to refer to her notes, but that it was found by a Georgia jury that Sig Sauer had provided a faulty product that did not possess a tabbed TRA trigger and that the defective design of the P320 could cause harm to its owner.

Representative Timothy Horrigan, representing House District Strafford 10, stated that he supported the bill, and that he was the prime sponsor of a similar bill in the House Criminal Justice Committee. He explained that he agreed with everything that Senator Altschiller had said, and that he hoped to lend his support to her bill.

- Explained that Sig Sauer was headquartered nearby to his district, and that they are a major employer of his constituents. He stated that the company had threatened to leave New Hampshire if HB 551 had failed to pass last year, which Representative Horrigan considered to be, while undesirable, an empty threat on account of the millions that Sig Sauer has invested into the area.
- Argued that New Hampshire residents should be able to seek redress if they are harmed by unsafe firearms. The Representative hoped that this bill might be able to see bipartisan support, as firearms manufacturers already experience limited firearms liability on account of federal law.
- Explained that there have been many cases where P320s and M7 rifles have been fired unintentionally, and that the tragic shooting of Alex Pretti, whose P320 might have misfired while a federal officer was apprehending him, may have been such a case.
- Stated that before HB 551 was passed into law last year, Sig Sauer was already shielded from civil liability but only in New Hampshire state courts. Prior to this, New Hampshire state law did not in any way prevent New Hampshire residents from seeking legal recourse outside of state courts. He expressed his hopes that others in the General Court might be able to recognize that the new bill from last spring did nothing useful and should be taken off the law.

Aubery Friedman, a resident of Bridgewater, New Hampshire, spoke in opposition to the bill. He expressed his concerns that the bill would lead to an excess of litigation and that any changes were unnecessary.

- Pointed out that lawyers are not stupid, and that the current suites being filed show that they believe that there is some level of current legal liability.
- Explained that RSA 507-D:6 included a section that maintained liability for firearms manufacturers in cases where the claimant establishes that the firearm contained an actual manufacturing defect or failed to operate in a manner consistent with the manufacturer's express warranty or representation.

- Said that the law is fair right now, and that this issue ultimately rests with the ability of gun owners to practice responsible firearms ownership and to use the product correctly.

Kathleen Slover, a resident of Portsmouth, New Hampshire, asked that the committee support SB 554.

- Argued that even if a product works properly with no manufacturing defects, businesses still need to be held liable for these products. She explained that companies like Ford have been held responsible in the past, including when that company was held liable for the placement of its Pinto fuel tank which was found to cause fires.
- Explained that there have been numerous issues with the Sig Sauer P320 handgun in the past, including an incident at Fort Eustace in Virginia when a sergeant suffered a gunshot wound after his P320 misfired. A veteran and police department rangemaster in New Jersey was fatally shot when his P320 discharged while he was cleaning it. Ms. Slover argued that while the firearms functioned, they were not intended to misfire and Sig Sauer should be held responsible for this error.
- Argued that the protection against liability also stripped gun owners of the right to sue for issues that were yet uncovered or that might occur in the future.
- Explained that liability isn't always about paying damages, and that it's instead often about responsibility. One New Jersey case sought to force a recall of the P320 and a halt to deceptive and false advertising.
- Examined a prior testimony from last year's bill, when a representative for Sig Sauer had claimed that they would require a state mandate to include certain safety features as it was cost prohibitive. When asked whether there would be specific training around the operation of the Sig Sauer P320, this same company representative said that most of those experiencing issues had already undergone training.
- Claimed that those injured in accidental discharges often claim not to have made any errors, and end up in a legal battle with their own municipality, taking Sig Sauer out of the conversation. Ms. Slover explained that in the case of Chicago, the municipality completely phased out the P320 after one such legal conflict. She argued that, ultimately, the risk has shifted from the manufacturer to the law enforcement agent and the municipality.
- Argued that it was not Sig Sauer's job to protect consumers, but that of legislators. She explained that New Hampshire legislators had failed to properly protect consumers and their right to pursue liability lawsuits.

Nancy Brown, a resident of Hopkinton, New Hampshire, spoke in support of the bill.

- Questioned whether the committee members would have supported limiting liability on a company like St. Bane which has caused critical damage to drinking water supply in New Hampshire. She expressed that the issues in last year's legislation could cause lives to be lost, and urged the members of the committee to support the bill.

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Date Hearing Report completed: February 6, 2026