

SB 555-FN - AS INTRODUCED

2026 SESSION

26-2131

09/08

SENATE BILL ***555-FN***

AN ACT relative to critical risk protection orders.

SPONSORS: Sen. Altschiller, Dist 24; Sen. Watters, Dist 4; Sen. Reardon, Dist 15; Sen. Rosenwald, Dist 13; Sen. Perkins Kwoka, Dist 21; Sen. Fenton, Dist 10; Sen. Long, Dist 20; Rep. Bay, Straf. 21; Rep. Selig, Straf. 10

COMMITTEE: Judiciary

ANALYSIS

This bill establishes a procedure for issuing critical risk protection orders to protect against persons who pose an immediate risk of harm to themselves or others.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

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

1 1 Title. This act may be known as and cited to as the "Critical Risk Prevention Order Act."

2 2 Statement of Purpose. The general court finds that allowing family or household members, or
3 law enforcement officers, to petition for a court order to temporarily restrict access to firearms by
4 individuals who are found to pose an immediate risk to themselves or others would advance public
5 safety. This act shall not apply in cases of domestic abuse or stalking where the petitioner is eligible
6 to petition for relief under RSA 173-B or RSA 633:3-a.

7 3 New Chapter; Critical Risk Protection Orders. Amend RSA by inserting after chapter 159-F
8 the following new chapter:

9 CHAPTER 159-G

10 CRITICAL RISK PROTECTION ORDERS

11 159-G:1 Definitions. In this chapter:

12 I. "Critical risk protection order" means a temporary, ex parte, or final order issued
13 pursuant to this chapter to temporarily restrict access to firearms by individuals who are found to
14 pose an immediate or significant risk to themselves or others.

15 II. "Family or household member" means:

16 (a) A spouse, ex-spouse, person cohabiting with another person, and a person who
17 cohabited with another person in the preceding 24 months but who no longer shares the same
18 residence.

19 (b) A parent or other person related by consanguinity or affinity, other than a minor
20 child who resides with the respondent.

21 III. "Firearm" means any weapon, including a starter gun, which will, is designed to, or may
22 be readily converted to expel a projectile by the action of an explosive.

23 IV. "Intimate partner" means a person who is currently or who, in the preceding 24 months,
24 has been involved in a romantic relationship with another, whether or not such relationship was
25 ever sexually consummated.

26 V. "Law enforcement officer" means a sheriff or deputy sheriff of any county, a state police
27 officer, a constable or police officer of any city or town, or a conservation officer.

28 VI. "Petitioner" means a law enforcement officer, family or household member, or intimate
29 partner of the respondent who files a petition for a critical risk protection order under this chapter.

30 VII. "Respondent" means an individual who is identified as the respondent in a petition filed
31 under this chapter.

1 159-G:2 Jurisdiction and Venue.

2 I. The district division of the circuit court shall have jurisdiction over all proceedings under
3 this chapter.

4 II. The petitioner may commence proceedings pursuant to RSA 159-G:3 in the county or
5 district where either the petitioner or the respondent resides.

6 III. Proceedings under this chapter may be transferred to another court upon the motion of
7 any party or of the court as the interests of justice or the convenience of the parties may require.

8 159-G:3 Commencement of Proceedings; Petition; Hearing.

9 I. A petitioner may seek relief under this chapter by filing a petition, in the county or
10 district where the petitioner or respondent resides, alleging that the respondent poses a significant
11 risk of causing bodily injury to himself or herself or others by having a firearm or any ammunition in
12 his or her custody or control or by purchasing, possessing, or receiving a firearm or any ammunition.

13 II. A petition for a critical risk protection order shall:

14 (a) Be accompanied by a written affidavit, signed by the petitioner under oath. The
15 affidavit shall contain specific factual allegations regarding the factors that give rise to petitioner's
16 belief that respondent poses a significant risk of causing bodily injury to himself or herself or others
17 by having a firearm or any ammunition in his or her custody or control or by purchasing, possessing,
18 or receiving a firearm or any ammunition.

19 (b) Identify the quantities, types, and locations of all firearms and ammunition the
20 petitioner believes to be in the respondent's current ownership, possession, custody, or control.

21 (c) Identify if there is a known existing protection order in effect against the respondent
22 under RSA 173-B or any other applicable statute.

23 (d) Identify what steps if any have been taken to voluntarily remove firearms from the
24 respondent.

25 III. Any person who files a petition under this chapter containing allegations the petitioner
26 knows to be false, or who files a petition with intent to harass the respondent, shall be subject to
27 criminal penalties, as set forth in RSA 159-G:11.

28 IV. Notice of the pendency of the action and of the facts alleged against the respondent shall
29 be given to the respondent, either personally or as provided in paragraph V. The petitioner shall be
30 permitted to supplement or amend the petition only if the respondent is provided an opportunity
31 prior to the hearing to respond to the supplemental or amended petition. All petitions filed under
32 this chapter shall include the home and work telephone numbers of the respondent, if known.
33 Notice of the whereabouts of the petitioner may be kept confidential by order of the court for good
34 cause shown. Any answer by the respondent shall be filed with the court and a copy shall be
35 provided to the petitioner by the court.

36 V. No filing fee or fee for service of process shall be charged for a petition or response under
37 this section, and the petitioner or respondent may proceed without legal counsel. A law enforcement

1 officer shall serve process under this section. Any proceeding under this chapter shall not preclude
2 any other available civil or criminal remedy.

3 VI. The clerk of the circuit court shall supply forms for petitions and for relief under this
4 chapter designed to facilitate pro se proceedings. All such petitions shall contain the following
5 statement: "I swear that the foregoing information is true and correct to the best of my knowledge.
6 I understand that making a false statement on this petition will subject me to criminal penalties."

7 VII. The findings of facts shall be final, but questions of law may be transferred from the
8 circuit court to the superior court.

9 VIII.(a) The court shall hold a hearing within 7 days of the filing of a petition under this
10 section or within 4 days of service of process upon the respondent, whichever occurs later.

11 (b) The time frame established in this paragraph may be extended for an additional 7
12 days upon motion by the respondent for good cause shown. A recusal by the judge or any act of God
13 or closing of the court that interferes with the originally scheduled hearing shall not be cause for the
14 dismissal of the petition. The court shall reschedule any hearing under this section in an
15 expeditious manner.

16 IX. In any proceeding under this chapter, the court shall not be bound by the technical rules
17 of evidence and may admit evidence which it considers relevant, reliable, and material.

18 159-G:4 Temporary Relief.

19 I. A petitioner may request, and the court may enter, a temporary critical risk protection
20 order with or without actual notice to respondent. The court shall issue a temporary critical risk
21 protection order if it finds, by a preponderance of the evidence, that the respondent poses an
22 immediate and significant risk of causing bodily injury to himself or herself or others by having a
23 firearm or any ammunition in his or her custody or control or by purchasing, possessing, or receiving
24 a firearm or ammunition.

25 II. If a temporary critical risk protection order is requested, the court shall hold a temporary
26 ex parte risk protection order hearing in person or by telephone on the day the petition is filed or on
27 the business day immediately following the day the petition is filed.

28 III. The court shall determine, by a preponderance of the evidence, whether there is reason
29 to believe that the respondent poses an immediate risk of causing bodily injury to himself or herself
30 or others by having a firearm or any ammunition in his or her custody or control or by purchasing,
31 possessing, or receiving a firearm or ammunition. The court shall consider any relevant, reliable,
32 and material evidence.

33 IV. Temporary orders issued under this section shall prohibit the respondent from
34 purchasing, possessing, or receiving any firearms and ammunition for the duration of the order and
35 shall further direct the respondent to relinquish to a law enforcement officer all firearms and
36 ammunition in the control, ownership, or possession of the respondent or any other person on behalf
37 of the respondent, and any license to carry a loaded pistol or revolver issued to the respondent under

1 RSA 159:6, for the duration of the protective order. The court shall require proof, which may be in
2 the form of a verbal attestation under oath or sworn affidavit, that the respondent has surrendered
3 any firearms or ammunition owned by the respondent or in his or her custody, control, or possession.

4 V. The court may issue such temporary orders by telephone or facsimile. Such
5 telephonically issued orders shall be made by a circuit court judge to a law enforcement officer and
6 shall be valid in any jurisdiction in the state. Such orders shall be returnable to the circuit court
7 where the petitioner resides, unless otherwise ordered by the issuing judge. If non-telephonic
8 temporary orders are made ex parte, the party against whom such relief is issued may file a written
9 request with the clerk of the court and request an expedited hearing on such orders. Such hearing
10 shall be held no less than 3 business days and no more than 5 business days after the request is
11 received by the clerk. Such hearing may constitute the final hearing under RSA 159-G:3, VIII.

12 VI. A temporary critical risk protection order shall expire upon the hearing on a final critical
13 risk protection order under RSA 159-G:3, VIII.

14 VII. The court may subsequently issue a search warrant authorizing a law enforcement
15 officer to search for and seize any and all firearms and ammunition in the respondent's possession,
16 custody or control, if there is probable cause to believe respondent has firearms or ammunition and if
17 the court has reason to believe that such firearms or ammunition have not been relinquished by the
18 respondent.

19 VIII. The court shall state the particular reasons for denying or granting the petitioner's
20 request for a temporary critical risk protection order.

21 159-G:5 Relief.

22 I. After notice to respondent and a hearing, and upon a showing by the petitioner that there
23 is clear and convincing evidence that the respondent poses a significant and ongoing risk of causing
24 bodily injury to himself or herself or others by having a firearm or any ammunition in his or her
25 custody or control or by purchasing, possessing, or receiving a firearm or ammunition, the court shall
26 issue a critical risk protection order for a period not to exceed 12 months.

27 II. A critical risk protection order issued under this section shall prohibit the respondent
28 from purchasing, possessing, or receiving any firearms and ammunition for the duration of the order
29 and shall further direct the respondent to relinquish to a law enforcement officer all firearms and
30 ammunition in the control, ownership, or possession of the respondent, and any license to carry a
31 loaded pistol or revolver issued to the respondent under RSA 159:6 for the duration of the order.

32 III. In determining whether there is clear and convincing evidence to believe that the
33 respondent poses an immediate risk of causing bodily injury to himself or herself or others by having
34 a firearm or any ammunition in his or her custody or control or by purchasing, possessing, or
35 receiving a firearm or ammunition, the court shall consider any relevant, reliable, and material
36 evidence.

1 IV. A person, including an officer of the court, who offers evidence or recommendations
2 relating to a petition filed under this chapter either shall present the evidence or recommendations
3 in to the court in a sworn written affidavit, with copies to each party and his or her attorney, if one is
4 retained, or shall present the evidence under oath at a hearing at which all parties are present.

5 V. During the hearing, the court shall determine if a mental health evaluation or chemical
6 dependency evaluation is appropriate and may order such evaluation if the court finds there is clear
7 and convincing evidence that the respondent has a serious mental illness or recurring mental health
8 condition that is likely to lead to the respondent being a danger to themselves or others. A mental
9 health evaluation ordered pursuant to this paragraph shall comply with the requirements of RSA
10 135-C.

11 VI. The court may subsequently issue a search warrant authorizing a law enforcement
12 officer to search for and seize all firearms and ammunition in the respondent's possession, custody,
13 or control, if there is probable cause to believe respondent has firearms or ammunition and if the
14 court has probable cause to believe that such firearms or ammunition have not been relinquished by
15 the respondent. The court shall require proof, which may be in the form of a verbal attestation
16 under oath or sworn affidavit, that the respondent has surrendered any firearms or ammunition
17 owned by the respondent or in his or her custody, control, or possession.

18 159-G:6 Contents of Critical Risk Protection Orders.

19 I. A critical risk protection order issued under this chapter shall include all of the following:

20 (a) A statement of the grounds supporting the issuance of the order.

21 (b) The date the order was issued.

22 (c) The date the order expires.

23 (d) Whether a mental health evaluation or chemical dependency evaluation of the
24 respondent is required and, if so, when the results of said evaluation must be provided to the court.

25 (e) The address of the court in which any responsive pleading should be filed.

26 (f) A description of the requirements for the surrender of all firearms and ammunition in
27 the control, ownership, or possession of the respondent under RSA 159-G:8.

28 (g) The following statement:

29 "To the subject of this critical risk protection order: This order will remain in effect until the date
30 noted above. If you have not done so already, you shall surrender immediately to the (insert name of
31 local law enforcement agency) all firearms and ammunition that you own or that are in your custody,
32 control, or possession and any license to carry a loaded pistol or revolver issued to you under RSA
33 159:6. You may seek the advice of an attorney as to any matter connected with this order."

34 II. If the court issues a temporary critical risk protection order under RSA 159-G:4, the court
35 shall inform the respondent, in writing, that he or she is entitled to request an expedited hearing as
36 provided in RSA 159-G:4, V. The court shall provide the respondent with a form to request such a
37 hearing.

1 III. If the court issues a critical risk protection order under RSA 159-G:5, the court shall
2 inform the respondent, in writing, that he or she is entitled to request a hearing to vacate the order
3 in the manner provided in RSA 159-G:10. The court shall provide the respondent with a form to
4 request a hearing to vacate.

5 IV. The court shall state the particular reasons for granting or denying the petitioner's
6 request for a critical risk protection order.

7 159-G:7 Notification; Reporting of Orders.

8 I. A copy of any order made under this chapter shall be promptly transmitted to the local
9 law enforcement agency having jurisdiction to enforce such order and, if such person has been issued
10 a license to carry a loaded pistol or revolver under RSA 159:6, notice shall also be promptly made to
11 the issuing authority of the license.

12 II. Critical risk protection orders, including temporary critical risk protection orders, shall
13 be promptly served on the respondent by the law enforcement officer. Modifications, extensions, and
14 any order vacating a critical risk protection order shall be sent to the respondent's last address of
15 record. The respondent shall be responsible for informing the court of any changes of address. Law
16 enforcement agencies shall establish procedures whereby a law enforcement officer at the scene of an
17 alleged violation of such an order may be informed of the existence and terms of such order.

18 III. The clerk of the court shall enter any order issued under this chapter into a statewide
19 judicial information system on the same day such order is issued. The order shall remain in the
20 information system as long as the order remains in effect.

21 IV. The clerk of the court shall forward a copy of any order issued under this section the
22 same day such order is issued to the department of safety, which in turn shall forward a copy to the
23 Federal Bureau of Investigation, or its successor agency, for inclusion in the National Instant
24 Criminal Background Check database.

25 V. Any court-ordered changes, extensions, or modifications to the order shall be effective
26 upon issuance of such changes, extensions, or modifications and shall be mailed or otherwise
27 provided to the appropriate law enforcement agency, issuing authority, and transmitted to the
28 department of safety within 24 hours of the entry of such changes, extensions, or modifications.

29 159-G:8 Surrender of Firearms and Ammunition.

30 I. Upon issuance of any critical risk protection under this chapter, including a temporary ex
31 parte critical risk protection order, the court shall order the respondent to surrender to the local law
32 enforcement agency all firearms and ammunition owned by the respondent or in his or her custody,
33 control, or possession and any license to carry a loaded pistol or revolver issued to the respondent
34 under RSA 159:6.

35 II. The law enforcement officer serving a critical risk protection order under this section,
36 including a temporary critical risk protection order, shall request that the respondent immediately
37 surrender all firearms and ammunition owned by the respondent or in his or her custody, control, or

1 possession and any license to carry a loaded pistol or revolver issued to the respondent under RSA
2 159:6. The law enforcement officer shall take possession of all firearms and ammunition and any
3 license to carry a loaded pistol or revolver issued to them under RSA 159:6, which are surrendered.
4 Alternatively, if personal service by a law enforcement officer is not possible or is not required
5 because the respondent was present at the critical risk protection order hearing, the respondent
6 shall surrender any firearms and ammunition owned by the respondent or in his or her custody,
7 control, or possession and any license to carry a loaded pistol or revolver issued to them under RSA
8 159:6, held by the respondent, in a safe manner to the control of the local law enforcement agency
9 immediately after being served with the order by service or immediately after the hearing at which
10 the respondent was present.

11 III. A law enforcement officer may, pursuant to RSA 159-G:4 and 159-G:5, seek a search
12 warrant from a court of competent jurisdiction to search for and seize any and all firearms and
13 ammunition owned by the respondent or in his or her possession, custody or control if the officer has
14 probable cause to believe that said firearms or ammunition have not been surrendered.

15 IV. At the time of surrender, a law enforcement officer taking possession of any firearm or
16 ammunition owned by the respondent or in his or her custody, control, or possession, or any license
17 to carry a loaded pistol or revolver issued to respondent under RSA 159:6, shall issue a receipt
18 identifying all firearms and the quantity and type of ammunition that have been surrendered, and
19 any license surrendered and shall provide a copy of the receipt to the respondent. Within 72 hours
20 after service of the order, the law enforcement officer serving the order shall file the original receipt
21 with the court and shall ensure that his or her law enforcement agency retains a copy of the receipt.

22 V. Notwithstanding RSA 595-A, upon the sworn statement or testimony of any person
23 alleging that the respondent has failed to comply with the surrender required by any order issued
24 under this chapter, the court shall determine whether probable cause exists to believe that the
25 respondent has failed to surrender any firearms or ammunition owned by the respondent in his or
26 her custody, control, or possession. If the court finds that probable cause exists, the court shall issue
27 a warrant describing the firearms or ammunition owned by the respondent or in his her custody,
28 control or possession and authorizing a search of the locations where any such firearms or
29 ammunition are reasonably believed to be found and the seizure of any such firearms or ammunition
30 discovered pursuant to such search.

31 VI. If a person other than the respondent claims title to any firearms or ammunition
32 surrendered or seized pursuant to this section and he or she is determined by the law enforcement
33 agency to be the lawful owner of the firearm or ammunition, the firearm or ammunition shall be
34 returned to him or her, if:

35 (a) The lawful owner agrees to store the firearm or ammunition in a manner such that
36 the respondent does not have access to or control of the firearm or ammunition; and

1 (b) The law enforcement agency conducts a background check to determine that the
2 lawful owner is not prohibited under state or federal law from possessing the firearm or
3 ammunition.

4 VII. Upon the issuance of any critical risk protection order, the court shall order a new
5 hearing date and require the respondent to appear no later than 3 business days after the issuance
6 of the order. The court shall require proof that the respondent has surrendered any firearms or
7 ammunition owned by the respondent or in his or her custody, control, or possession. The court may
8 cancel the hearing upon a satisfactory showing that the respondent is in compliance with the
9 surrender order.

10 VIII. All law enforcement agencies shall develop policies and procedures regarding the
11 acceptance, storage, and return of firearms, ammunition, or licenses required to be surrendered
12 under this section.

13 159-G:9 Return and Disposal of Firearms and Ammunition.

14 I. If a critical risk protection order is vacated or ends without extension, a respondent may
15 request, by motion to the court, the return of any and all firearms and ammunition that has been
16 surrendered to or seized by the law enforcement pursuant to this chapter. Upon receipt of such a
17 motion, the court shall schedule a hearing no later than 15 days after the expiration of the order.
18 The court shall provide written notice to the petitioner who shall have the right to appear and be
19 heard, and to the law enforcement agency which has control of the firearms and ammunition. The
20 scope of the hearing shall be limited to:

21 (a) Establishing whether the respondent is subject to any state or federal law or court
22 order that prohibits the respondent from owning or possessing a firearm or ammunition; and

23 (b) Under circumstances where the petitioner has requested an extension of the critical
24 risk protection order, pursuant to section 10 of this chapter, whether the petitioner has established
25 by clear and convincing evidence that the respondent continues to pose a significant risk of causing
26 bodily injury to himself or herself or others by having a firearm or any ammunition in his or her
27 custody or control or by purchasing, possessing, or receiving a firearm or ammunition.

28 II. If the court finds that the respondent is not subject to any state or federal law or court
29 order prohibiting the ownership or possession of firearms, and, if applicable, the court denies the
30 petitioner's request to extend the critical risk protection order, the court shall issue a written order
31 directing the law enforcement agency to return the requested firearms and ammunition to the
32 respondent.

33 III. Law enforcement agencies shall not release firearms and ammunition without a court
34 order granting such release. The law enforcement agency may charge the respondent a reasonable
35 fee for the storage of any firearms and ammunition taken surrendered or seized to a critical risk
36 protection order. The fee shall not exceed the actual cost incurred by the law enforcement agency for
37 the storage of the firearms and ammunition. The respondent may make alternative arrangements

1 with a federally-licensed firearms dealer for the storage of firearms, at the respondent's own
2 expense, upon approval of the court. Such firearms shall be turned over to the appropriate law
3 enforcement agency for transfer to the storage facility. Retrieval of such firearms shall be through
4 the law enforcement agency responsible for their transfer to the storage facility pursuant to a court
5 order as prescribed in this paragraph.

6 IV. No law enforcement agency shall be held liable for alleged damage or deterioration due
7 to storage or transportation to any firearms and ammunition and specified deadly weapons held by a
8 law enforcement agency, so long as due care is used.

9 V. If a critical risk protection order is vacated or ends without extension, the licensing
10 authority, if it has suspended a license to carry a loaded pistol or revolver issued to respondent
11 under RSA 159:6 pursuant to this section, shall reinstate such license only after confirming that the
12 respondent is currently eligible to have such license.

13 VI. The court shall provide written notice, sent via the United States Postal Service to the
14 last known address of the petitioner before the return of any firearm and ammunition surrendered
15 or seized pursuant to this chapter.

16 159-G:10 Termination and Extension of Orders.

17 I. The respondent may submit one written request for a hearing to vacate a critical risk
18 protection order issued under RSA 159-G:5, starting after the date of the issuance of the order, and
19 may request one additional hearing after every extension of the order, if any.

20 (a) Upon receipt of the request for a hearing to vacate a critical risk protection order, the
21 court shall set a date for a hearing. Notice of the request shall be served on the petitioner as
22 provided in RSA 159-G:7. The hearing shall occur no sooner than 14 days and no later than 30 days
23 after the date of service of the request upon the petitioner.

24 (b) The respondent shall have the burden of proving by clear and convincing evidence
25 that the respondent no longer poses a significant risk of causing bodily injury to himself or herself or
26 others by having a firearm or any ammunition in his or her custody or control or by purchasing,
27 possessing, or receiving a firearm or ammunition. The court shall consider any relevant, reliable,
28 and material evidence.

29 (c) If the court finds after the hearing that the respondent has met his or her burden of
30 proof, the court shall vacate the order.

31 (d) The law enforcement agency holding any firearm or ammunition or license to carry a
32 loaded pistol or revolver that has been surrendered or seized pursuant to this section shall be
33 notified of the court order to vacate the critical risk protection order. The court shall also provide
34 notice as required by RSA 159-G:7, V.

35 II. The court shall notify the petitioner of the impending expiration of a critical risk
36 protection order. Notice shall be received by the petitioner at least 30 days before the date the order
37 is set to expire.

1 III. The petitioner may, by motion, request an extension of a critical risk protection order at
2 any time within 30 days before the end of the order.

3 (a) Upon receipt of the motion to extend, the court shall schedule a hearing to be held no
4 later than 14 days after the date the motion to extend is filed. The respondent shall be personally
5 served with notice of the motion to extend as provided in RSA 159-G:7.

6 (b) In determining whether to extend a critical risk protection order issued under this
7 section, the court shall consider any relevant, reliable, and material evidence.

8 (c) If the court finds by clear and convincing evidence that the requirements for issuance
9 of a critical risk protection order as provided in RSA 159-G:5 continue to be met, the court shall
10 extend the order.

11 (d) The court may extend a critical risk protection order for a period that it deems
12 appropriate, up to and including but not exceeding 12 months, subject to an order to vacate as
13 provided in paragraph I or to another extension order by the court.

14 (e) The court shall also provide notice of the extension of the order as required in RSA
15 159-G:7, V.

16 159-G:11 Violation of Critical Risk Protection Order; Penalties.

17 I. In addition to other applicable charges and penalties, a person shall be guilty of a class A
18 misdemeanor if such person knowingly files a petition under this chapter containing false
19 allegations, or if such person files a petition with intent to harass the respondent.

20 II. In addition to other applicable charges and penalties, a person shall be guilty of a class B
21 felony if he or she knowingly violates a critical risk protection order issued under this chapter by
22 having in his or her possession, custody, or control any firearm or ammunition while the order is in
23 effect.

24 III. A person who completes and signs an application for purchase of a firearm and who
25 knows that such purchase is illegal because he or she is subject to a critical risk protection order
26 shall be guilty of a class A misdemeanor for a first offense and a class B felony for a second or
27 subsequent offense.

28 159-G:12 Orders Enforceable.

29 I. Any critical risk protection order issued under this chapter shall be effective throughout
30 the state.

31 II. Any comparable critical risk protection order issued by any other state, tribal, or
32 territorial court, including an ex parte order, shall be deemed valid if the issuing court had
33 jurisdiction over the parties and matter under the law of the state, tribe, or territory, and the person
34 against whom the order was made was given reasonable notice and opportunity to be heard. There
35 shall be a presumption of validity where an order appears facially valid.

36 III. Any valid critical risk protection order, as defined in paragraph II, shall be accorded full
37 faith and credit throughout the state.

1 159-G:13 Standard Forms.

2 I. The administrative office of the courts shall develop instructions and informational
3 brochures, standard petition forms, and critical risk protection order forms. The standard petition
4 and order forms shall be developed after September 20, 2026, for use by January 1, 2027, for all
5 petitions filed and orders issued under this chapter. The instructions, brochures, forms, and
6 handbook shall be prepared in consultation with interested persons, judges, and law enforcement
7 personnel. Materials shall be based on best practices and available electronically online to the
8 public.

9 (a) The instructions shall be designed to assist petitioners in completing the petition and
10 shall include a sample of a standard petition and order for protection forms.

11 (b) The instructions and standard petition shall include a means for the petitioner to
12 identify, with only lay knowledge, the firearms the respondent may own, possess, receive, or have in
13 his or her custody or control. The instructions shall provide pictures of types of firearms that the
14 petitioner may choose from to identify the relevant firearms, or an equivalent means to allow
15 petitioners to identify firearms without requiring specific or technical knowledge regarding the
16 firearms.

17 (c) The informational brochure shall describe the use of and the process for obtaining,
18 modifying, and terminating a critical risk protection order under this chapter, and provide relevant
19 forms. The brochure shall provide plain language explanations of these processes for both
20 petitioners and respondents. The brochure shall also clearly explain the legal requirements and
21 processes for the relinquishment and return of firearms pursuant to a critical risk protection order.

22 (d) The critical risk protection order form shall include, in a conspicuous location, notice
23 of criminal penalties resulting from violation of the order, and the following statement: "You have
24 the sole responsibility to avoid or refrain from violating this order's provisions. Only the court can
25 change the order and only upon written application."

26 (e) The court staff handbook shall allow for the addition of a community resource list by
27 the court clerk.

28 II. The clerk of the circuit court may create a community resource list of crisis intervention,
29 mental health, substance abuse, interpreter, counseling, and other relevant resources serving the
30 county in which the court is located. The court may make the community resource list available as
31 part of or in addition to the informational brochures described in paragraph I.

32 III. The administrative office of the courts shall distribute a master copy of the petition and
33 order forms, instructions, and informational brochures to all court clerks and shall distribute a
34 master copy of the petition and order forms to all clerks of the circuit courts. Distribution of all
35 documents shall, at a minimum, be in an electronic format or formats accessible to all courts and
36 court clerks in the state.

1 IV. The administrative office of the courts shall determine the significant non-English-
2 speaking or limited-English-speaking populations in the state. The administrator shall then arrange
3 for translation of the instructions and informational brochures required by this section to be
4 developed after September 20, 2026, which shall contain a sample of the standard petition and order
5 for protection forms, into the languages spoken by those significant non-English-speaking
6 populations and shall distribute a master copy of the translated instructions and informational
7 brochures to all clerks of the circuit court by January 1, 2027.

8 V. The administrative office of the courts shall update the instructions, brochures, standard
9 petition, and critical risk protection order forms, and court staff handbook as necessary, including
10 when changes in the law make an update necessary.

11 159-G:14 Reporting.

12 I. No later than January 31 of each year, clerks of the circuit courts shall report to the
13 administrative office of the courts the following information:

14 (a) The total number of petitions for a critical risk protection order, and the total
15 number of those petitions that requested the order be issued ex parte during the previous year.

16 (b) The total number of temporary critical risk protection orders issued and the total
17 number denied during the previous year.

18 (c) The total number of critical risk protection orders issued and the total number denied
19 during the previous year.

20 (d) The total number of critical risk protection orders vacated upon petition by the
21 respondent during the previous year.

22 (e) The total number of critical risk protection orders extended during the previous year.

23 II. No later than April 1 of each year the administrative office of the courts shall compile
24 and publish on its website a report which aggregates the information received pursuant to
25 paragraph I and lists each category by county and type of court.

26 4 Effective Date.

27 I. RSA 159-G:13, as inserted by section 3 of this act shall take effect September 20, 2026.

28 II. The remainder of this act shall take effect January 1, 2027.

**SB 555-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to critical risk protection orders.

FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
Expenditures*	\$0	Indeterminable Increase \$500,000 to \$1,000,000	Indeterminable Increase \$500,000 to \$1,000,000	Indeterminable Increase \$500,000 to \$1,000,000
<i>Funding Source(s)</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

METHODOLOGY:

This bill establishes a process allowing law enforcement or certain individuals to petition the Circuit Court for an order requiring a person who poses an immediate risk to themselves or others to surrender firearms and ammunition.

The Judicial Branch states this bill will result in an indeterminable increase in expenditures of more than \$500,000 and less than \$1,000,000 in general funds beginning in FY 2027.

The Branch anticipates the creation of an entirely new and complex case type requiring the Circuit Court, District Division, to handle petitions, hearings, and follow-up compliance reviews on short timeframes. The process will displace other scheduled court matters and require expanded administrative and judicial resources. Because the volume of petitions cannot be estimated, the total cost is indeterminable.

However, the Judicial Branch assumes that at least one additional full-time equivalent employee would be needed to administer the program, create forms, brochures, and handbooks, coordinate data collection, and provide ongoing training for judges and staff. In addition, the bill's requirements for the translation of materials, publication of annual reports, and database

updates would add further costs. The Branch's existing budget cannot absorb the added expenses.

The Department of Safety states this bill will not have an impact on their budget.

AGENCIES CONTACTED:

Judicial Branch and Department of Safety