

HB 1203-FN - AS INTRODUCED

2026 SESSION

26-2773
09/05

HOUSE BILL ***1203-FN***

AN ACT relative to the return of firearms following a not guilty verdict or dismissal of the proceeding.

SPONSORS: Rep. Morse, Merr. 3; Rep. Love, Rock. 13; Rep. McFarlane, Graf. 18; Rep. Tenczar, Hills. 1; Rep. DeVito, Rock. 8; Rep. Giasson, Hills. 29; Rep. Thibault, Merr. 25

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill requires that in criminal prosecutions that result in not guilty verdicts or that are discontinued, the court shall immediately order for the return of any seized firearms or ammunition and that the law enforcement agency shall return the property within 24 hours.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 the return of firearms following a not guilty verdict or dismissal of the proceeding.

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

1 1 Return of Firearms following a Not Guilty Verdict or Discontinued Prosecution. Amend the
2 introductory paragraph of RSA 159-D:4, II to read as follows:

3 II. A court shall not be required to request, conduct, or receive the results of a background
4 check prior to returning firearm property to its owner. ***In a case where the firearm property has***
5 ***been seized or removed solely due to an order pertaining to a criminal proceeding such as***
6 ***a bail order, and the case terminates through either the state discontinuing the case or the***
7 ***case resulting in all verdicts of not guilty, the court shall not request or conduct a***
8 ***background check and shall immediately order the return of the firearm property, and the***
9 ***law enforcement agency shall return said property within 24 hours of the order.*** Should any
10 New Hampshire court require, at its discretion, that a background check be conducted on an
11 individual prior to the return of his or her firearm property, the following conditions shall apply:

12 2 Effective Date. This act shall take effect 60 days after its passage.

**HB 1203-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to the return of firearms following a not guilty verdict or dismissal of the proceeding.

FISCAL IMPACT: This bill does not provide funding.

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
Expenditures*	\$0	\$45,000	\$45,000	\$45,000
<i>Funding Source(s)</i>	75% General Fund and 25% Highway Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

***Expenditure = Cost of bill**

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

Estimated Political Subdivision Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

METHODOLOGY:

This bill requires that in criminal prosecutions resulting in a not guilty verdict, or when charges are discontinued, the court shall immediately order the return of any seized firearms or ammunition. It further requires the law enforcement agency in possession of the property to return the items within 24 hours of the court's order.

The Department of Safety states this bill will increase state expenditures by approximately \$45,000 annually, shared 75 percent General Fund and 25 percent Highway Fund, for overtime expenses incurred by the Division of State Police. The 24-hour return requirement would occasionally necessitate after-hours or weekend work by evidence custodians to ensure timely return of seized firearms. The Department notes this represents a new, unfunded obligation not included in its current appropriation.

Similar to what the Department of Safety states, municipal and county law enforcement agencies may also incur additional overtime costs to meet the 24-hour firearm return requirement. The overall local impact would vary by jurisdiction and is indeterminable.

The Judicial Branch states any fiscal impact from this bill could be absorbed into their budget.

It is assumed the fiscal impact will begin in FY 2027, with any impact in subsequent years incorporated into the agency's budget request.

AGENCIES CONTACTED:

Department of Safety and Judicial Branch