

HB 1454-FN - AS INTRODUCED

2026 SESSION

26-2883

09/06

HOUSE BILL

1454-FN

AN ACT relative to the possession of firearms following a court order requiring surrender of firearms and ammunition.

SPONSORS: Rep. Markell, Rock. 18; Rep. DeSimone, Rock. 18; Rep. Lynn, Rock. 17

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill makes it a criminal offense to possess a firearm in violation of a court order requiring the surrender of firearms, and also makes the offense a qualifying offense triggering the presumption that the defendant is dangerous and may be denied bail, if certain other conditions are met.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 possession of firearms following a court order requiring surrender of firearms and ammunition.

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

1 1 New Section; Possession of Firearms in Violation of a Court Order. Amend RSA 159 by
2 inserting after section 3-a the following new section:

3 159:3-b Possession of Firearms in Violation of a Court Order. Any person who possesses a
4 firearm in violation of a court order requiring the immediate surrender of all firearms and
5 ammunition over which he or she controlled, owned, or possessed shall be guilty of class A
6 misdemeanor for a first offense, and guilty of a class B felony for second or subsequent offense.

7 2 Release of a Defendant Pending Trial. Amend RSA 597:2, III(c)(13)-(14) to read as follows:

8 (13) Any felony offense that has as an element the use, attempted use, or threatened
9 use of physical force against a person; ~~[or]~~

10 (14) Any felony offense, if the person has twice before been convicted of an offense
11 listed in subparagraph (c); **or**

12 **(15) Possession of firearms in violation of a court order under RSA 159:3-b,**
13 **if:**

14 **(A) The underlying court order the defendant is accused of violating was**
15 **a domestic violence order of protection issued pursuant to RSA 173-B or other order issued**
16 **in connection with a domestic violence case; or**

17 **(B) The defendant is also charged with domestic violence under RSA**
18 **631:2-b.**

19 3 Effective Date. This act shall take effect 60 days after its passage.

**HB 1454-FN- FISCAL NOTE
AS INTRODUCED**

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FISCAL IMPACT:

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

AGENCIES CONTACTED:

Judicial Branch, Judicial Council, Department of Justice, Department of Corrections, New Hampshire Association of Counties, and New Hampshire Municipal Association