

CHAPTER 1
SB 12-FN - FINAL VERSION

2017 SESSION

17-0140
04/09

SENATE BILL **12-FN**

AN ACT repealing the licensing requirement for carrying a concealed pistol or revolver

SPONSORS: Sen. Bradley, Dist 3; Sen. Avard, Dist 12; Sen. Birdsell, Dist 19; Sen. Carson, Dist 14; Sen. Daniels, Dist 11; Sen. Gannon, Dist 23; Sen. Giuda, Dist 2; Sen. Gray, Dist 6; Sen. Innis, Dist 24; Sen. Morse, Dist 22; Sen. Reagan, Dist 17; Sen. Sanborn, Dist 9; Sen. Ward, Dist 8; Rep. Itse, Rock. 10; Rep. Spillane, Rock. 2; Rep. Pearl, Merr. 26; Rep. Hinch, Hills. 21; Rep. Harrington, Straf. 3

COMMITTEE: Judiciary

ANALYSIS

This bill:

- I. Increases the length of time for which a license to carry a pistol or revolver is valid.
- II. Allows a person to carry a loaded, concealed pistol or revolver without a license unless such person is otherwise prohibited by New Hampshire statute.
- III. Requires the director of the division of state police to negotiate and enter into agreements with other jurisdictions to recognize in those jurisdictions the validity of the license to carry issued in this state.
- IV. Repeals the requirement to obtain a license to carry a concealed pistol or revolver.

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Explanation: Matter added to current law appears in **bold italics**.
Matter removed from current law appears ~~[in brackets and struck through.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Seventeen

1 AN ACT repealing the licensing requirement for carrying a concealed pistol or revolver

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

2 1:1 Pistols and Revolvers; License to Carry. Amend RSA 159:6 to read as follows:

3 159:6 License to Carry.

4 I.(a) The selectmen of a town, the mayor or chief of police of a city or a full-time police
5 officer designated by them respectively, the county sheriff for a resident of an unincorporated place,
6 or the county sheriff if designated by the selectmen of a town that has no police chief, upon
7 application of any resident of such town, city, or unincorporated place, or the director of state police,
8 or some person designated by such director, upon application of a nonresident, shall issue a license
9 to such applicant authorizing the applicant to carry a loaded pistol or revolver in this state for not
10 less than [4] 5 years from the date of issue, if it appears that the applicant has good reason to fear
11 injury to the applicant's person or property or has any proper purpose, [~~and that the applicant is a~~
12 ~~suitable person to be licensed~~] ***unless the applicant is prohibited by New Hampshire or***
13 ***federal statute from possessing a firearm.*** Hunting, target shooting, or self-defense shall be
14 considered a proper purpose. The license shall be valid for all allowable purposes regardless of the
15 purpose for which it was originally issued.

16 (b) The license shall be in duplicate and shall bear the name, address, description, and
17 signature of the licensee. The original shall be delivered to the licensee and the duplicate shall be
18 preserved by the people issuing the same for [4] 5 years. When required, license renewal shall take
19 place within the month of the [~~fourth~~] ***fifth*** anniversary of the license holder's date of birth
20 following the date of issuance. The license shall be issued within 14 days after application, and, if
21 such application is denied, the reason for such denial shall be stated in writing, the original of
22 which such writing shall be delivered to the applicant, and a copy kept in the office of the person to
23 whom the application was made. The fee for licenses issued to residents of the state shall be \$10,
24 which fee shall be for the use of the town or city granting said licenses; the fee for licenses granted
25 to out-of-state residents shall be \$100, which fee shall be for the use of the state. The director of
26 state police is hereby authorized and directed to prepare forms for the licenses required under this
27 chapter and forms for the application for such licenses and to supply the same to officials of the
28 cities and towns authorized to issue the licenses. ***The form shall require no more information***
29 ***than was required on the state of New Hampshire application for pistol/revolver license,***
30 ***form DSSP 85, as revised in December 2009.*** No other forms shall be used by officials of cities

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1 and towns. The cost of the forms shall be paid out of the fees received from nonresident licenses.

2 II. No photograph or fingerprint shall be required or used as a basis to grant, deny, or
3 renew a license to carry for a resident or nonresident, unless requested by the applicant.

4 ***III. The availability of a license to carry a loaded pistol or revolver under this***
5 ***section or under any other provision of law shall not be construed to impose a prohibition***
6 ***on the unlicensed transport or carry of a firearm in a vehicle, or on or about one's person,***
7 ***whether openly or concealed, loaded or unloaded, by a resident, nonresident, or alien if***
8 ***that individual is not otherwise prohibited by statute from possessing a firearm in the***
9 ***state of New Hampshire.***

10 1:2 Pistols and Revolvers; Reciprocity. RSA 159:6-d is repealed and reenacted to read as
11 follows:

12 159:6-d Reciprocity. The director of the division of state police shall negotiate and enter into
13 reciprocal agreements with other jurisdictions to recognize in those jurisdictions the validity of the
14 license issued under RSA 159:6. The director shall apply to every jurisdiction with which
15 New Hampshire does not have a reciprocity agreement, at least once every 5 years to obtain
16 recognition in those jurisdictions of the license issued under RSA 159:6. Any such agreement
17 executed shall not expire unless an expiration date is required under the statutes of the reciprocal
18 jurisdiction.

19 1:3 Repeal. RSA 159:4, relative to requiring a license to carry a concealed pistol or revolver, is
20 repealed.

21 1:4 Effective Date. This act shall take effect upon its passage.

Approved: Feb 22, 2017
Effective Date: 2/22/2017

