

Floor Amendment to HB 1711-FN

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT authorizing the state to report mental health data for firearms background check
4 purposes, providing for processes for confiscation of firearms following certain mental
5 health-related court proceedings and for relief from mental health-related firearms
6 disabilities, and creating a study committee to determine why Chief Bradley Haas
7 was unarmed when he was working as the primary security detail at the main
8 entrance to the New Hampshire Hospital.
9

10 Amend RSA 159-F:2 and 159-F:3 as inserted by section 3 of the bill by replacing it with the
11 following:

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13 159-F:2 Mental Health Reporting Authorized.

14 In compliance with the federal NICS Improvement Amendments Act of 2007, Public Law 110-
15 180 and the Brady Handgun Violence Prevention Act of 1993, Public Law 103-159, the New
16 Hampshire judicial branch and the department of safety are authorized to report to the National
17 Instant Criminal Background Check System (NICS) records concerning persons who have been
18 disqualified from possessing or receiving a firearm under 18 U.S.C. section 922(g)(4) because they
19 have been:

20 I. Adjudicated as not guilty of a crime by reason of insanity;

21 II. Adjudicated as incompetent to stand trial and found by the court to be a danger to others
22 pursuant to RSA 171-B:2, 135-E:5 or 135:17-a; or

23 III. Involuntarily committed to a mental health facility pursuant to RSA 135-C:34-54 on the
24 grounds that the individual is a danger to others.

25 159-F:3 Entry Into the National Instant Criminal Background Check System.

26 I. Notwithstanding any other provision of law, including the requirement of a closed hearing
27 and file under RSA 135-C:43, when a judge orders a nonemergency involuntary admission pursuant
28 to RSA 135-C:34-54 or a commitment pursuant to RSA 171-B:2, for a person who is deemed to be a
29 danger to others pursuant to a separate, dedicated court hearing relative to the submission of the
30 name to the NICS Indices and where the person was physically present and represented by counsel,
31 and the order is one that qualifies under 18 U.S.C. section 922(g)(4), the court shall retain a record of
32 the court order and promptly cause the disposition to be entered in the NICS Indices. When a
33 person is found not guilty by reason of insanity, or incompetent to stand trial and found by the court
34 to be a danger to others pursuant to RSA 135-E or 135:17-a, as provided in this section, the

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1 department of safety shall promptly cause that disposition to be entered in the NICS Indices, in
2 accordance with paragraph II.

3 II. The court or the department of safety shall report only the person's name, an identifier
4 signifying the applicable prohibition under 18 U.S.C. section 922(g), the person's social security
5 number, and date of birth.

6 III. If a court determines that a person is not competent to stand trial and finds that the
7 person is also a danger to others, but, after 90 days, the person is not committed pursuant to RSA
8 171-B:2, 135-C:34-54, or 135-E:5, upon the motion of any party or sua sponte, the court may transmit
9 that finding to the department of safety for entry into the NICS Indices.

10
11 Amend the bill by inserting after section 8 the following and renumbering the original sections 9 and
12 10 to read as 10 and 11, respectively:

13
14 9 Study Committee Established. There is established a committee to study why Chief Bradley
15 Haas was unarmed when working as the primary security detail at the main entrance to the New
16 Hampshire Hospital.

17 I. The members of the committee shall be as follows:

18 (a) Three members of the house of representatives, appointed by the speaker of the
19 house of representatives.

20 (b) Two members of the senate, appointed by the president of the senate.

21 II. Members of the committee shall receive mileage at the legislative rate when attending to
22 the duties of the committee.

23 III. The committee's duties shall include, but not be limited to:

24 (a) Examine why Chief Haas was unarmed when manning the metal detector as the
25 primary security detail at the main entrance of the New Hampshire Hospital.

26 (b) Determine if the state was partially complicit in the murder of Chief Haas by
27 disarming Chief Haas and if the state should set up a dedicated fund to compensate the family for
28 this murder.

29 (c) Investigate all department policies and any contracts that might have applied to
30 Chief Haas.

31 IV. The members of the study committee shall elect a chairperson from among the members.
32 The first meeting of the committee shall be called by the first-named house member. The first
33 meeting of the committee shall be held within 45 days of the effective date of this section. Three
34 members of the committee shall constitute a quorum.

35 V. The committee shall report its findings and any recommendations for proposed legislation
36 to the speaker of the house of representatives, the president of the senate, the house clerk, the
37 senate clerk, the governor, and the state library on or before November 1, 2024.

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AMENDED ANALYSIS

This bill authorizes the state to report mental health data for firearms background check purposes and provides for processes for the confiscation of firearms following certain mental health-related court proceedings and for relief from mental health-related firearms disabilities. This bill further establishes a study committee to determine why Chief Haas was unarmed when he was working as the primary security detail at the main entrance to the New Hampshire Hospital.