



# GOLD STANDARD



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| HB 31 YEA OTP | HB 90 NAY OTP    | HB 154 YEA OTP | HB 380 NAY OTP | HB 477 NAY ITL        |
| HB 32 YEA ITL | HB 92 NAY OTP    | HB 216 NAY ITL | HB 401 NAY OTP | HB 498 YEA Reconsider |
| HB 51 NAY ITL | HB 106 YEA ITL   | HB 281 YEA OTP | HB 464 YEA OTP | HB 567 NAY OTP        |
| HB 59 YEA ITL | HB 112 NAY OTP/A | HB 298 NAY OTP | HB 467 NAY OTP | HB 624 YEA OTP/A      |
| HB 78 YEA ITL | HB 117 YEA OTP   | HB 367 YEA OTP | HB 469 NAY OTP |                       |

## HB 31, repealing the prohibition on the possession or sale of blackjacks, slung shots, and metallic knuckles.

# HB 31

Criminal Justice and Public Safety: OTP 11-8

**PRO-LIBERTY:** This bill repeals the prohibition, penalty, and exceptions relating to the carrying and possessing with intent to sell a blackjack, slung shot, or metallic knuckles.

# YEA OTP

- Blackjacks, slung shots, and metallic knuckles are illegal in NH. This bill will make them legal.
- The right to self-defense and to bear arms is fundamental to the citizens of the United States and the state of New Hampshire. Both entities' Constitutions make clear that those rights shall not be infringed.
- Mere possession of these items harms no one; using them harmfully is illegal and would remain so even with passage of this bill.

## HB 32, relative to possession or discharge of a firearm in a safe school zone.

# HB 32

Criminal Justice and Public Safety: ITL 10-9

**ANTI-LIBERTY:** This bill infringes upon the natural rights of New Hampshire citizens.

# YEA ITL

- The right to defense of one's self and property is paramount in a free society. This bill not only places a substantial burden on those who do not wish to compromise their safety in public areas, it also inhibits their right to vote in federal and state elections, which are often held in schools. No one should have to compromise their safety or liberty to take part in the civic process of voting.
- Additionally, the absence of armed civilians puts everyone at risk. 94-97% of all mass shootings happen in gun free zones ([crimereference.org/2018/06/more-misleading-information-from-bloombergs-everytown-for-gun-safety-on-guns-analysis-of-recent-mass-shootings/](https://www.crimereference.com/2018/06/more-misleading-information-from-bloombergs-everytown-for-gun-safety-on-guns-analysis-of-recent-mass-shootings/)).
- The New Hampshire Constitution Article 2-a. states: "[The Bearing of Arms.] All persons have the right to keep and bear arms in defense of themselves, their families, their property and the state."

## HB 59, requiring a background check prior to any commercial firearm sale.

# HB 59

Criminal Justice and Public Safety: ITL 10-9

**ANTI-LIBERTY:** This bill adds a new definition for commercial firearms sales that would result in a transfer being considered a commercial sale even if no money or item of value is exchanged but the transfer is initiated after the firearm was displayed.

# YEA ITL

- This bill poorly defines "commercial sale" within 159-F:1, I, such that all transfers are commercial sales.
- The bill will criminalize lawful firearms transactions between friends, family, neighbors, and members of the same shooting club by redefining these isolated events as "commercial sales".
- The newly mandated background checks are effectively a 'poll tax' on a constitutionally-protected right.
- This bill is unnecessary as private transfer of pistols and revolvers is already regulated under RSA 159:8, III and RSA 159:10 without the unintended consequences added by this bill.

# HB 78

**HB 78, repealing an act prohibiting the state from enforcing any federal statute, regulation, or Presidential Executive Order that restricts or regulates the right of the people to keep or bear arms.**

**Criminal Justice and Public Safety: ITL 11-9**

**ANTI-LIBERTY: This bill would repeal the modest protections provided by existing RSA 159-E which limit state and political subdivision resources from being used in certain cases to support federally initiated infringement on the right to keep and bear arms.**

- Article 2-a of the New Hampshire Constitution is quite clear stating that: "*All persons have the right to keep and bear arms in defense of themselves, their families, their property and the state.*" — the existing RSA provides a small degree of protection to at least ensure that state resources are not used to enforce mandates that infringe upon this right.

**YEA ITL**

# HB 106

**HB 106, relative to extreme risk protection orders.**

**Criminal Justice and Public Safety: ITL 11-9**

**ANTI-LIBERTY: This bill allows personal property, including firearms, to be taken when no crime has been committed.**

- This bill violates the 4th Amendment protections under the US Bill of Rights and Article 19 of the NH Bill of Rights: "[Art.] 19. *[Searches and Seizures Regulated.] Every subject hath a right to be secure from all unreasonable searches and seizures of his person, his houses, his papers, and all his possessions.*"
- The language in the bill allows for hearsay 'evidence' to be admitted into the trial violating Article 15: "[Art.] 15. *[Right of Accused.] No subject shall be held to answer for any crime, or offense, until the same is fully and plainly, substantially and formally, described to him;*"
- The respondent will be stripped of personal property and will need to spend time and money via the court system for return of the property without having committed a crime.
- Under this bill, courts are not bound by the traditional rules of evidence typically given to the defendant. (159-F:3 IX)

**YEA ITL**

# HB 216

**HB 216, exempting dimethyltryptamine from the controlled drug act.**

**Criminal Justice and Public Safety: ITL 14-6**

**PRO-LIBERTY: This bill exempts dimethyltryptamine (DMT) from the controlled drug act.**

- This bill eliminates DMT from the controlled drug act, thereby supporting the fundamental right that a person owns themselves.
- People have an inherent right to body autonomy and should not be coerced by the state with respect to what they do with or put into their own bodies.
- This bill may save a modest amount of money in enforcement, prosecution, and incarceration costs, which would provide the potential to lower property taxes.

**NAY ITL**

# HB 624

**HB 624, relative to federal immigration checkpoints.**

**Criminal Justice and Public Safety: OTP/A 14-6**

**PRO-LIBERTY: This bill requires local law enforcement give public notice when a federal agency intends to conduct an immigration checkpoint.**

- Part 1, Article 19 of the New Hampshire Constitution notes the "*...right to be secure from all unreasonable searches and seizures of his person, his houses, his papers, and all his possessions.*" In *STATE v. KOPPEL* (1985), the NH Supreme Court noted that "*Stopping and detaining an automobile and its occupants, whether by roving patrol or roving roadblock, constitutes a seizure within the meaning of article 19 of our State Constitution.*"
- In *STATE v. HUNT* (2007), the Supreme Court found "*To justify the search or seizure of a motor vehicle, absent probable cause or even a reasonable suspicion that a criminal offense is being committed, the State must prove that its conduct significantly advances the public interest in a manner that outweighs the accompanying intrusion on individual rights. It must further prove that no less intrusive means are available to accomplish the State's goal.*". Checkpoints at the border are clearly less intrusive than random stops of people traveling within the state. While the federal government may not be bound by the NH Constitution, our state law enforcement officers are and should take every effort to minimize undesired infringement and seizure.
- Notification is consistent with the approach New Hampshire uses for sobriety checkpoints.

**YEA  
OTP/A**

# HB 367, relative to eligibility of students in the education freedom account program.

# HB 367

Education: Without Recommendation

**PRO-LIBERTY:** This bill makes a modest increase in the income eligibility threshold for participation in the Education Freedom Accounts program.

**YEA  
OTP**

- The Education Freedom Accounts have partially shifted the locus of control from government bureaucrats to families — allowing parents additional options for their children based on their individual education needs, using funds that the state had already dedicated for education on a per pupil basis.
- The legacy education system has failed to keep pace with the evolving improvements that are happening around the world. Shifting power from a government monopoly to families choosing in a market will spur innovation (e.g., online education, competency-based education, etc.). Having accountability rest directly on those who bear the consequences of a school's performance is superior to top-down regulatory accountability.
- Although all families should have access to their tax dollars back, this bill increases the number of families that are provided with additional choices in where and how their children are educated.
- Oppose both 2023-0226h and 2023-0449h amendments. The former does make a modest improvement over the existing income test in current law; however, the unamended bill is superior. The latter adopts the same small increase in income threshold but would then require income threshold testing each year. This creates a perverse incentive that puts families in a untenable position of working to improve their incomes or losing the EFA funds.

# HB 380, relative to non-academic surveys administered by a public school or a chartered public school to its students.

# HB 380

Education: Without Recommendation

**ANTI-LIBERTY:** This bill reduces parental control over non-academic social and behavioral content in public schools.

**NAY  
OTP**

- Prior to 2017, schools routinely asked students to complete non-academic surveys and questionnaires to assess their attitudes, values, decision-making, and behaviors. Some of these surveys could be seen as 'push polls' that were attempting to influence the non-academic beliefs of the student. SB43 (2017) modified our law to explicitly require parental approval for participation in these non-academic exercises. This bill would modify the existing 'opt-in' provisions to an 'opt-out' regime that would reduce parental involvement and allow for 'inadvertent' administration of potentially objectionable content.
- Parents should be fully informed on what is being asked of their children and give explicit authorization for them to participate.
- The portion of the bill that explicitly extends non-academic survey provisions to public charter schools is beneficial, however it is not worth the loss of parental control contained in the rest of the bill.

# HB 464, relative to eligible students in the education freedom account program.

# HB 464

Education: Without Recommendation

**PRO-LIBERTY:** This bill expands the definition of who is an eligible student qualifying under the Education Freedom Accounts program.

**YEA  
OTP**

- This bill serves to better protect and develop children by expanding eligibility for access to the Education Freedom Accounts (EFA) to certain groups of students regardless of the income of their parents. These groups include children in foster care, migratory children, homeless children or youths, children with a parent in the armed forces on full-time duty, English language learners, children who are persistently bullied, children with a disability, children with a documented approved manifest educational hardship, children living in school districts identified as a comprehensive support and improvement school (failing school), and children in school districts designated as being a persistently dangerous school.
- These children have a more difficult time obtaining the opportunity for an adequate education and could benefit from the EFA program by being able to use their adequacy grant money to attend a different public school or a private school, or to pay to provide for their particular special education needs.

## HB 112, relative to tenant's right to notification prior to the sale of a multifamily home.

Judiciary: OTP/A 11-9

**ANTI-LIBERTY: This bill requires the owner of restricted residential property to provide tenants with notice of sale of the property and an opportunity to make an offer to purchase the property.**

- Freedom to contract includes the right of the current and future property owners to be able to peacefully transfer the sale without interference of government.
- If tenants and landlords wanted to voluntarily put in their lease agreement a provision that allows for a so-called "right to notification" there is nothing preventing them from doing so. Tenants are already protected by having a lease which remains valid and binding on the present and future owner regardless of the sale.
- This bill significantly disincentivizes investment in the severely under-supplied New Hampshire real estate market.

# HB 112

## NAY OTP/A

## HB 117, relative to the termination of tenancy at the expiration of the tenancy or lease term.

Judiciary: Without Recommendation

**PRO-LIBERTY: This bill adds the expiration of the term of the lease or tenancy that is over 6 months as grounds for an eviction.**

- Common sense would lead a person to believe that at the end of a lease, with proper notice, a landlord would be able to reclaim their property, and if necessary, evict the tenant; however, courts have found that given current New Hampshire law, the end of a lease that is not renewed is not sufficient grounds for eviction.
- A lease agreement is a contract between two parties to provide safe access to a property for a pre-determined period of time. Absent this bill, the time provisions of a lease are not meaningful.

# HB 117

## YEA OTP

## HB 401, relative to evictions based on the owner's intent to renovate the property.

Judiciary: Without Recommendation

**ANTI-LIBERTY: This bill establishes certain criteria for evictions based on the landlord's intent to renovate or remove the property from the residential housing market.**

- Property owners have a fundamental right to control who is on their property, when someone is present, how their property is used, and what it is being used for at all times so long as they are not infringing on the rights of their neighbors, without interference of government.
- This bill fundamentally violates property owner rights by using force to coerce Granite Staters to serve the whims of the government instead of their needs.
- This bill significantly disincentivizes investment in the severely under-supplied New Hampshire real estate market.

# HB 401

## NAY OTP

## HB 469, prohibiting discrimination against tenants holding certain vouchers for purposes of renting dwellings.

Judiciary: Without Recommendation

**ANTI-LIBERTY: This bill prohibits discrimination against tenants holding certain vouchers for purposes of renting dwellings.**

- This bill seeks to strip property owners of their rights to their property by denying them the basic authority to decide who may or may not rent it.
- There are property owners who believe that taking tax money for payment is unjust. This compels them to violate their reasonable moral beliefs to accommodate this government mandate.
- This bill significantly disincentivizes investment in the severely under-supplied New Hampshire real estate market.
- Receiving federal rent vouchers obligates the landlord to follow different rules from the federal government that they were otherwise except from. This forces them into a different type of business of providing federal housing they didn't set out to do and may not fit into their actual business model.

# HB 469

## NAY OTP

**HB 567, relative to notice of rent increases in certain residential rental property.**

**HB 567**

**Judiciary: Without Recommendation**

**ANTI-LIBERTY: This bill requires a landlord of certain residential property to provide additional notice of a prospective rent increase.**

**NAY  
OTP**

- Requiring additional government mandates to a consensual agreement between two parties undermines the purpose of the contract and restricts the freedom to contract and of association.
- It is standard in lease agreements for landlords to warn tenants of a rent increase, so mandating this is pointless and just creates more barriers to investment in New Hampshire's greatly stressed real estate market.

**HB 51, relative to requiring towns and school districts use warrant articles for lobbying agents.**

**HB 51**

**Municipal and County Government: ITL 15-5**

**PRO-LIBERTY: This bill requires towns and school districts, when using local funds to lobby for legislation, to use warrant articles for each lobbying agency.**

**NAY ITL**

- This bill increases transparency in municipal spending by allowing voters to make informed decisions in spending by towns and school districts.
- This bill adds the simple requirement of towns and school districts that fund lobbyists defined under RSA 15:1, I, that they shall use a warrant article for each agency that reads as follows: "Shall the town or school district fund \_\_\_\_\_ (name of lobbyist or lobbyist agency) using local funds to lobby for legislation."

**HB 90, relative to the municipal planning master plan.**

**HB 90**

**Municipal and County Government: Without Recommendation**

**ANTI-LIBERTY: This bill adds even more "suggestions" for local planning master plans to contain sections on transition to renewable energy and more.**

**NAY  
OTP**

- This bill would add green initiatives to an already "suggested" and lengthy list of items contained in master planning RSAs.
- This bill is unnecessary legislation amending RSA 674:2, III, which should instead be re-drafted in future legislation in an attempt to eliminate and consolidate language rather than adding on to an ever-growing list of "suggestions" for master plan considerations.

**HB 154, relative to the adoption of public health ordinances by municipalities.**

**HB 154**

**Municipal and County Government: OTP 10-9**

**PRO-LIBERTY: This bill changes when regulations relating to public health made by town health officers take effect.**

**YEA  
OTP**

- This bill returns transparency to this crucial power and for the people where it will now require the majority of a legislative body at an annual or special meeting to approve before becoming legally binding.
- Currently, a town's selectmen need only "approve" a public health ordinance and await a small notice period in order for such an ordinance to take effect.

**HB 467, relative to public playground accessibility.**

**HB 467**

**Municipal and County Government: OTP 10-9**

**ANTI-LIBERTY: This bill requires public playgrounds in use on or after January 1, 2024 to have solid rubber or rubber composite surfacing for accessibility to the playground and each piece of equipment.**

**NAY  
OTP**

- This bill removes the ability for towns, cities, and local communities to make their own decisions about how their public playgrounds are structured.
- This will also increase the tax rates of all towns that do not have these accommodations already made without the consent of the people that live there.
- Perhaps there is an even safer material to place; this forces a town to waste money on material that is not up to the safety standards of the town.
- Rubber is not an indigenous product and forces New Hampshire localities to purchase imported products despite the fact that better domestic products may be available.



# HB 477, to prohibit municipal inspections of owner-occupied units of multi-unit housing.

# HB 477

**Municipal and County Government: ITL 12-8**

**PRO-LIBERTY: This bill prohibits municipal inspections of owner-occupied units within residential structures of 4 units or less.**

# NAY ITL

- The NH Constitution enshrines the right to privacy; having municipalities conduct inspections of owner-occupied buildings of 4 units or less greatly infringes on that constitutionally-protected right.
- This bill prevents the government from violating the sanctity of one's home by conducting inspections without the owner's consent.
- Owner-occupied residential structures of 4 units or less are basically houses, and most NH home owners would view it as ridiculous if their houses were inspected by the municipality.
- There is no reason why multi-family home owners should be treated as second-class citizens in terms of their protections from municipal inspections.

# HB 92, requiring the adoption of innovative vehicle emissions standards pursuant to section 177 of the federal Clean Air Act.

# HB 92

**Science, Technology and Energy: Without Recommendation**

**ANTI-LIBERTY: This bill seeks to impose California regulations in New Hampshire.**

# NAY OTP

- This bill would fine New Hampshire dealerships for not selling enough "Zero" Emission Vehicles (ZEVs). This would distort market forces and potentially lead to higher ZEV costs and crowd out lower-income residents.
- As nearly all manufacturers have plans for sales of ZEVs, the market-distorting credit system that this bill enables New Hampshire to play in is unlikely to continue to have significant long-term value. As a result, concerns over the inability of New Hampshire dealers to obtain certain lower-demand vehicles is largely unfounded and unlikely to continue.
- Consumers are already starting to adopt ZEVs as prices are coming down and range is increasing. New Hampshire citizens would be better served by removing state-imposed fees and removing barriers to the entry of new energy sources in the market, which would drive down New Hampshire's high electrical costs, and allowing the free market to adopt sales of ZEVs through normal human action.
- This bill would abdicate control of what cars we could buy, when we could buy them, and how we could operate them to the dictates of California and its lawmakers.

# HB 281, relative to least cost integrated resource plan of utilities.

# HB 281

**Science, Technology and Energy: Without Recommendation**

**PRO-LIBERTY: This bill repeals obsolete laws adding cost to the energy sector.**

# YEA OTP

- This bill eliminates the obsolete requirement placed on energy companies by the state to submit least-cost plans on energy generation. Since most energy generation is not performed by New Hampshire energy companies it is an antiquated additional cost passed through to Granite Staters for no actual benefit.

# HB 298, relative to placement of personal wireless service facilities.

# HB 298

**Science, Technology and Energy: Without Recommendation**

**ANTI-LIBERTY: This bill heaps additional costs and burdens on those looking to use personal wireless services.**

# NAY OTP

- This bill seeks to force those who have applied for personal wireless devices such as HAM radio or cellular antennas to hire the services of a professional engineer to verify that all of the federal and state codes are being obeyed. This makes the barrier to entry for radio hobbyists so high as to effectively eliminate an activity that often inspires ingenuity and innovation.
- The state already confiscates resources from the citizens to perform code inspections. This law is a double tax on Granite Staters and should not be tolerated.

**HB 498, requiring fish and game officers to obtain a warrant to conduct a search and seizure.**

# HB 498

**Criminal Justice and Public Safety: ITL 19-1**

**PRO-LIBERTY: This bill requires conservation officers to obtain a search warrant for conducting certain enforcement operations.**

- Conservation officers do not have more important tasks to carry out than any other law enforcement official that should permit them to be able to operate above the law and the Constitution.
- Conservation officers have also been tasked with enforcement of other laws, in particular, motor vehicle laws (RSA 206:26,XV).
- In both the United States Constitution 4th and 5th Amendments as well as in the New Hampshire Constitution, Part First, Article 19, the government is prohibited from warrantless, unreasonable searches and people cannot be compelled to testify against themselves in a criminal proceeding. Unlike the other law enforcement agencies in the state, including the State Police that require probable cause, Fish and Game can detain and search under the far lower standard of 'reasonable and articulable suspicion'. This bill is necessary to ensure that all of the citizens of New Hampshire are treated equally under the law.
- If reconsideration passes, recommend NAY ITL.

**YEA  
Reconsider**