

Current Issues Regarding Gun Legislation in NH in 2023

By Leonard Korn MD

Far too many people in the United States lose their lives and their health each year to gun violence. This is of course **old news**. Unfortunately, we lead the western world by far in gun related tragedies. It is an unenviable fact of living in America. In the last few years, gun violence has become the largest cause of death for children and adolescents in the country, greater than cancer, auto accidents or infectious diseases. Our kids and teachers are increasingly frightened, and anxiety ridden. And yet the political climate in the United States keeps the problem of gun violence ever-present, and ever-worsening.

As I and so many others have repeatedly emphasized, gun violence **is** an issue that can be addressed by much more targeted and specific gun regulations and laws. The data for gun violence prevention is very clear, with more and more research studies in our prominent medical journals justifying reasonable gun laws as reducing gun violence, both homicide and suicide. The struggle for responsible gun laws became even more challenging in the last year with the U.S. Supreme Court's decision in *NY State Rifle and Pistol Assoc v Bruen*. This law allows concealed or open carry without any state requirement, such as reasonable cause, to carry a gun outside the home, thus expanding the right to bear arms.

Last year, Governor Sununu signed HB 1178, which prohibited the state from enforcing any federal firearm statute, regulation, or Executive Order unless there is a similar state statute or regulation. This year's bill, HB 78, would repeal last year's HB 1178.

There was much deliberation last year in the state legislature about a law about brandishing, or at least displaying, a firearm. HB 195 amended the state's reckless conduct statute to clarify that showing off a firearm does not in itself rise to an offense under the statute. In New Hampshire, we already allow a person to carry firearms openly or concealed without a permit. Now firearms can also be displayed, making it even easier for domestic abusers and gun toting individuals to intimidate, frighten and control our streets and neighborhoods.

New Hampshire has never been successful in passing a universal background check law. Currently, sales at licensed gun dealers are subject to a background check, but other sales such as community gun sales and internet sales do not require a background check. A universal background check law in New Hampshire would close that **loophole**. In the current legislative session, HB 59 would require a background check prior to any commercial firearm sale.

Other firearm bills warranting support include:

- HB 76, imposing a waiting period between purchase and delivery of a firearm,
- HB 32, relative to possession or discharge of a firearm in a safe school zone,
- HB 444, prohibiting possession of a firearm in and around a polling place,
- HB 106, relative to extreme risk protection orders (commonly referred to as "red flag laws"),
- HB 8, urging the US Congress to enact legislation regulating and banning certain semi-automatic assault weapons and large capacity magazines.

There are also laws that warrant opposition including:

- HB 474, expanding on HB 1178 by permitting lawsuits against state employees for assisting in following federal firearm laws,
- HB 512, exempting firearms manufactured in NH from federal laws and regulations.

The New Hampshire Medical Society has been very supportive of gun violence prevention measures over the years. Since 2014, NHMS has passed many policy positions supporting such preventive efforts. The voices of our physicians have always been an important factor in supporting reasonable gun laws. It behooves all physicians to make their voices heard. Please consider contacting your State House and Senate members and Governor Sununu on these and other gun violence prevention bills so that safety can replace politics on this crucial public health issue. The House Criminal Justice Committee will be primarily responsible for holding hearings on these bills. You can reach all members of the committee by emailing HouseCriminalJusticeandPublicSafety@leg.state.nh.us

If you have any questions or would like to learn how to get more involved, please contact NHMS Director of Advocacy, Michael Padmore at Michael.Padmore@nhms.org.