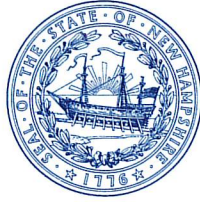


**ATTORNEY GENERAL  
DEPARTMENT OF JUSTICE**

1 GRANITE PLACE SOUTH  
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JOHN M. FORMELLA  
ATTORNEY GENERAL



JAMES T. BOFFETTI  
DEPUTY ATTORNEY GENERAL

June 3, 2026

The Honorable Members of the New Hampshire House and New Hampshire Senate  
New Hampshire State House  
107 North Main Street  
Concord, NH 03301

RE: Concerns Regarding House Bill 609

Dear Honorable Members of the New Hampshire House and New Hampshire Senate:

I write to express serious concerns with House Bill 609, relative to the General Court's authority over the sale, purchase, ownership, use, possession, transportation, licensing, permitting, taxation, and other matters pertaining to firearms, stun guns, tasers, pepper spray devices, knives and other self-defense tools. As Attorney General, it is my job to protect the Constitutional rights of our citizens and to protect public safety. Put simply, this bill would create a regulatory cliff that raises massive risk for the Second Amendment rights of New Hampshire citizens and legal uncertainty for the public safety operations of State law enforcement agencies. For these reasons, which are further described below, I strongly urge that you decline to adopt the Committee of Conference report.

Let me begin by emphasizing that I am a strong Second Amendment supporter and have taken many actions during my time as Attorney General to protect the rights of New Hampshire gun owners. By expressing my concerns with this bill, I do not question the intent of the drafters of this bill and those who have worked on it throughout the legislative session. I believe all those involved have made good faith efforts to protect the Second Amendment rights of New Hampshire citizens.

Unfortunately, despite good intentions, I believe that this bill would lead to multiple unintended consequences that have dire implications for public safety and the rights of gun owners in this state. This is especially so after the changes made in the Committee of Conference. Given that the latest changes to the bill were made only days ago, we have had limited time to analyze the impacts of this bill. However, even our initial analysis reveals a number of problems, which include but are not limited to the following:

1. First, this bill would result in an incredible surge of rulemaking in advance of the July 1, 2029 deadline that could contain many changes that are not good for gun owners. This is because any rules, regulations, and policies that are favorable to gun owners would have to be re-evaluated and readopted through the formal rulemaking process under RSA 541-A, creating the distinct possibility that the overall regulatory environment for gun owners could get worse, not better. Formal regulation often impairs discretion in ways that limit common sense governance. At a minimum, this would create a regulatory cliff that would create massive uncertainty for gun owners in our state.
2. Second, this bill would make it more difficult for an Executive Branch agency to make expedited policy changes that are good for gun owners. For example, a number of years ago the Gun Line was not operating efficiently, and approvals for handgun purchases were unnecessarily delayed, sometimes for days. These problems were remedied by expedited changes to operating procedures and policies that would not be possible if this bill were adopted and such policy changes had to be adopted through the formal rulemaking process.
3. Third, this bill would create a complex web of legal difficulties and uncertainty for State law enforcement agencies and their efforts to protect public safety. The ability of the State Police to create policies related to the use and storage of firearms by troopers would be called into question, the authority of the Police Standards and Training Council to administer and regulate firearms training would be uncertain, the Attorney General's authority to issue policy memoranda and other directives to law enforcement regarding best practices for various issues related to firearms could be affected, and the list goes on and on. To put it bluntly, the legal uncertainty that this bill would create for State law enforcement agencies and officials is untenable and would create significant risks and challenges to public safety operations.
4. Fourth, this bill would create numerous challenges for local law enforcement agencies, many of which have been articulated by the New Hampshire Association of Chiefs of Police ("NHACOP"), who also oppose this bill. As the Chief Law Enforcement Officer of this state, I have an obligation to listen to these concerns. At a minimum, the concerns articulated by the NHACOP warrant further study and discussion before this bill is enacted.
5. Fifth, this bill would make Second Amendment rights the only set of Constitutional rights for which the exclusive avenue of State Executive Branch reform is the formal administrative rulemaking process. The full consequences of this are difficult to predict, but I believe that we should be wary of imposing such a unique restriction on actions related to Second Amendment rights. This bill goes beyond preempting local regulation of firearms, but rather goes so far as to tie the hands of a co-equal branch of State Government on firearms regulation and the protection of Second Amendment rights. Once again, the potential for unintended consequences that are harmful to gun owners is vast.

The Honorable Members of the  
New Hampshire House and New Hampshire Senate  
June 3, 2026  
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In addition to the specific concerns noted above (a list which is not meant to be exclusive), I must emphasize that the broad and unprecedented language contained in this bill make it likely that other unintended consequences could result if this bill were to be enacted. The most prudent path would therefore be to decline to adopt the Committee of Conference Report and to facilitate further discussion and study of the issues that this bill seeks to address. Both I and my Office stand ready to participate in and assist with these discussions.

Thank you for your attention to these issues and for your consideration. I appreciate your service to our state, and I trust that you will give careful consideration to the concerns laid out in this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "John M. Formella". The signature is fluid and cursive, with a large initial "J" and "M".

John M. Formella  
Attorney General

#5588281