

2023 Legislative Tracking Report

HB250, relative to the accidental death benefit payable to a group II member.

On Tuesday, the House Finance Committee held an executive session on HB250, which increases the amount of the state retirement annuity payable upon the accidental death of a group II member. The Committee recommended OUGHT TO PASS w/ AMENDMENT 1045h by a vote of 13-10. The amendment increases it to “100% of the member’s average final compensation, but which shall not exceed \$85,000.” This is the second committee to weigh in on HB250, it had already passed the House from the Executive Departments and Administration Committee. This bill goes next back to the full House.

HB97, establishing an additional penalty for a violation of privacy.

On Tuesday the Senate Judiciary Committee held a public hearing on HB97 establishing an additional penalty for a violation of privacy. Rep. Rhodes introduced the legislation having worked in conjunction with the Coalition Against Domestic and Sexual Violence (CADSV) and is intended to address nonconsensual violation of someone’s privacy for sexual arousal or ratification, what she believes will provide rights and protections for victims. Pamela Keilig with CADSV spoke in support saying she believes this legislation brings privacy violation protection to victims of sexual violence by adding privacy protections to domestics and sexual violence laws believing these prevention measure can stop long-term abuse as the severity of these acts tend to grow overtime and can lead to physical abuse. Other testimony in support came from Scott Hampton from Ending the Violence.

HB31, repealing the prohibition on the possession or sale of blackjacks, slung shots, and metallic knuckles.

On Tuesday the Senate Judiciary Committee held a public hearing on HB31 repealing the prohibition on the possession or sale of blackjacks, sling shots, and metallic knuckles. Rep. Rhodes introduced the legislation on behalf of Rep. Spillane who was not present. Elliot Axelman spoke in support saying he believes this bill brings these prohibited items into parity with other weapons, he also believes there is a natural right to owning and possessing these items. There was no additional testimony presented during the public hearing.

HB1 and HB2 state operating budget

On Wednesday the House Finance Committee voted 14-11 to recommend passage of the amended budget **HB1**. All the Republicans supported the budget along with one Democrat (Rep. Peter Leishman). Negotiations will continue before next Thursday’s House vote. The committee amended budget has a projected \$44 million surplus and the focus of the leadership negotiations is on using that surplus to address some of the Democrats’ opposition including increasing some Medicaid provider rates and the 2 year sunset date on Medicaid expansion. There is a possibility an agreement can be reached by next week’s House vote. Additionally, the budget trailer bill **HB2** passed the committee by a similar vote of 14-11. The committee passed version includes the Group II retirement middle tier provisions and the state police pay raise.

SB207, establishing a committee to study licensure of mental health professionals and relative to mental health critical incident intervention and management.

On Wednesday, the House Executive Departments and Administration Committee met for a public hearing on SB207, which establishes a committee to study licensure of mental health professionals and adds a new definition for “peer support group” to emergency medical trauma services and critical incident intervention and management. Senator Rebecca Perkins-Kwoka introduced the legislation at the request of the First Responder PTSD Commission. She indicated that this bill’s passage would pave the way for further legislation next year on this topic. No other testimony was provided, and no immediate action was taken. Chairwoman McGuire indicated she would like to bring forward an amendment to remove the study committee from the bill, given the other mental health study committees proposed this year.

SB29, relative to repealing the statute relating to police matrons.

On Wednesday the House Criminal Justice and Public Safety Committee held a public hearing on SB29, relative to repealing the statute relating to terminology “police matrons” in law. Senator Carson introduced the legislation saying the intent is to repeal the statute regarding police matron believing this term in reference to female officer is “antiquated and insulting to women.” Chief Emily Cobb from the NH Chiefs of Police Association spoke in support saying she believes there should not be a difference in designation between male and female law enforcement officers, even though there currently are no individuals that are designated a police matron. There was no additional testimony presented at the public hearing.

SB38, amending the procedure for issuing a summons instead of an arrest.

On Wednesday the House Criminal Justice and Public Safety Committee held a public hearing on SB38, amending the procedure for issuing a summons instead of an arrest. Daley Frenette introduced the legislation on behalf of Senator Gannon saying this legislation aims to amend the procedure for issuing a summons instead of an arrest if an officer believes an individual has committed a misdemeanor or violation where today arrest is the only option for law enforcement. Richard Head with the Judicial Branch spoke in support saying they have worked with numerous stakeholders all of which are in support of this legislative changes. Rep. Harriott-Garthright expressed concerns with the additional discretion that would be placed with law enforcement believing there could be a negative impact amongst people of color or minority groups.

SB244-FN, relative to false public alarms.

On Wednesday the House Criminal Justice and Public Safety Committee held a public hearing on SB244-FN, relative to false public alarms. Senator Alltschiller introduced the legislation saying the intent is to prevent false reports believing these events traumatize students and charges for these acts should be more than a misdemeanor. There was discussion amongst members of the committee to introduce an amendment that would exempt minors from class b felony charge. There was wide agreement amongst the committee members of the significant fiscal cost communities are faced when responding to false public alarms. Chief Hoebeke from the Chiefs of Police Association spoke in support saying these events have fiscal impacts, he also believes there is a burden placed on first responders responding to these traumatic situations and believes this legislation can be a way of deterring these actions.

SB245, relative to the inspection of hotel guest records.

On Wednesday the House Criminal Justice and Public Safety Committee held a public hearing on SB245, relative to the inspection of hotel guest records. Daley Frenette introduced the legislation on behalf of Senator Ricciardi who received this legislative request from the Restaurant and Lodging Association updating the guest records law allowing for the use of digital bookkeeping and removing the book or card record requirement. Henry Veilleux representing the Restaurant and Lodging Association spoke in support saying this is a housekeeping bill and is not intended to change any policy, instead it expands certain record keeping flexibilities considering technologies used in keeping records of guests believing the current book and card system is antiquated.

SB268, allowing for pre-hospital treatment and transportation for operational canines.

On Wednesday the House Criminal Justice and Public Safety Committee held a public hearing on SB268, allowing for pre-hospital treatment and transportation for operational canines. Senator D’Allesandro introduced the legislation saying this would allow designated canines to be transported with their owners, like laws that already exist in Mass and Maine. Hannah Batchelder an emergency veterinarian who works with the Manchester Police Department spoke in support saying there is a large gap that exists in the scope of care for these canines and believes by closing the gap in care for canines in the field will increase the odds of them recovering from their injuries and avoid preventable deaths. Other testimony in support came from Patrick and Denise Gannon, William Werner Portsmouth Police Department and Stacy Ober American Kennel Club. Justin Romanello with the NH Fire Academy did not take a position but provided minor technical edits to the legislation.

SB109, relative to school safety and coordination with law enforcement.

On Thursday, the House Education Committee met for a public hearing on SB109, which clarifies the ability of school employees to communicate with law enforcement on an on-going basis, for the purpose of taking preventative action if a threat arises to the health, safety, and wellbeing of students. Senator Tim Lang introduced the legislation at the request of a school district to clarify that law enforcement can share information with a school district to carry out any possible disciplinary action. He further noted that the bill was amended in the Senate to ensure it was in compliant with federal law and did not release any medical record information. Representative Tim Horrigan provided testimony suggesting that the Senate amendment weakened the bill compared to the introduced version. However, he ultimately expressed support for the legislation. Also supporting the legislation was a Superintendent from Northumberland who indicated her school had a serious incident with a dangerous weapon, but the district was unable to get information that could have helped with disciplinary actions. She further indicated that this legislation would be narrowly focused to law information pertaining to school safety. Sergeant Ladd from Troop F of the NH State Police also expressed his support for the legislation, reiterating the limited information they are currently able to share with schools. No immediate action was taken.

House Criminal Justice and Public Safety Executive Session

On Thursday the House Criminal Justice and Public Safety Committee held an executive session on numerous bills:

SB29, relative to repealing the statute relating to police matrons. **OTP 19-0 CC**

SB38, amending the procedure for issuing a summons instead of an arrest. **OTP 19-0 CC**

GENERAL MISC.

NH H 1	AUTHOR:	Weyler [R]
	TITLE:	Appropriations for the Expenses of Certain Departments
	INTRODUCED:	02/17/2023
	DISPOSITION:	Pending
	LOCATION:	HOUSE
	SUMMARY:	
		Makes appropriations for the expenses of certain departments of the State for specified fiscal years.
	STATUS:	
	03/30/2023	From HOUSE Committee on FINANCE: Majority reported ought to pass with amendment.
	03/30/2023	From HOUSE Committee on FINANCE: Minority reported ought not to pass.
NH S 183	AUTHOR:	Denise Ricciardi
	TITLE:	Right to Know Law
	INTRODUCED:	01/20/2023
	DISPOSITION:	Pending
	LOCATION:	House Judiciary Committee
	SUMMARY:	
		Exempts certain phone calls from the Right to Know Law.
	STATUS:	
	03/29/2023	Public Hearing: 04/12/2023.

COLLECTIVE BARGAINING

NH H 150	AUTHOR:	Bordes [R]
	TITLE:	Certification of a Collective Bargaining Unit
	INTRODUCED:	01/04/2023
	DISPOSITION:	Pending
	LOCATION:	Senate Commerce Committee
	SUMMARY:	
		Reduces the minimum number of employees required to certify a collective bargaining unit.
	STATUS:	
	03/23/2023	To SENATE Committee on COMMERCE.

POLICE MISCONDUCT

NH H 156	AUTHOR:	Meuse [D]
	TITLE:	Misconduct by Law Enforcement Officers
	INTRODUCED:	01/04/2023
	LAST AMEND:	03/09/2023
	DISPOSITION:	Pending
	LOCATION:	Senate Judiciary Committee
	SUMMARY:	
		Adds intentional misrepresentation to the definition of misconduct by a law enforcement officer.
	STATUS:	
	03/14/2023	To SENATE Committee on JUDICIARY.

POLICE MISCELLANEOUS

NH H 278	AUTHOR:	Emerick [R]
	TITLE:	Special Duty Hours Worked by Retired Police Members
	INTRODUCED:	01/09/2023
	LAST AMEND:	03/09/2023
	DISPOSITION:	Pending
	LOCATION:	Senate Executive Departments and Administration Committee
	SUMMARY:	Allows retired Group II police members of the retirement system to work special duty law enforcement and not have the special duty hours count against the part-time hours limit.
	STATUS:	
	03/14/2023	To SENATE Committee on EXECUTIVE DEPARTMENTS AND ADMINISTRATION.
	03/30/2023	Hearing: 04/05/2023.
NH H 376	AUTHOR:	Trottier [R]
	TITLE:	Training Emergency Personnel Providers
	INTRODUCED:	01/09/2023
	DISPOSITION:	Pending
	LOCATION:	Senate Judiciary Committee
	SUMMARY:	Establishes a committee to study the current education, training, and requirements for personnel employed as emergency dispatchers and 911 telecommunicators for police, fire, and emergency medical organizations.
		STATUS:
	03/14/2023	To SENATE Committee on JUDICIARY.
NH H 560	AUTHOR:	Trottier [R]
	TITLE:	Contact Person Program to Assist Law Enforcement
	INTRODUCED:	01/11/2023
	DISPOSITION:	Pending
	LOCATION:	Retained in Committee for Second Year Action
	SUMMARY:	Requires the State Police to establish a contact person notification program to assist law enforcement personnel who have contact with a person with mental or physical disabilities; appropriates funds.
		STATUS:
	03/28/2023	Retained in Committee for Action in Second Year of Session.
NH H 596	AUTHOR:	Meuse [D]
	TITLE:	Use of Racial Profiling in Law Enforcement Activities
	INTRODUCED:	01/12/2023
	DISPOSITION:	Pending
	LOCATION:	Senate Judiciary Committee
	SUMMARY:	Prohibit the use of racial profiling in law enforcement activities and sentencing.
		STATUS:
	03/21/2023	To SENATE Committee on JUDICIARY.
NH H 624	AUTHOR:	Seibert [D]
	TITLE:	Federal Immigration Checkpoints
	INTRODUCED:	01/12/2023
	LAST AMEND:	03/09/2023
	DISPOSITION:	Pending
	LOCATION:	Senate Judiciary Committee
	SUMMARY:	Requires a law enforcement agency to provide public notice of an immigration checkpoint.
	STATUS:	
	03/14/2023	To SENATE Committee on JUDICIARY.

RETIREMENT

NH H 436	AUTHOR:	Pratt [R]
	TITLE:	Group II Retirement
	INTRODUCED:	01/11/2023
	LAST AMEND:	02/22/2023
	DISPOSITION:	Pending
	LOCATION:	Retained in Committee for Second Year Action
	SUMMARY:	
	Adjusts the transition provisions for group II service retirement adopted in 2011 over a 10 year period until 2033, and makes general fund appropriations each year to fund the cost of the benefits.	
	STATUS:	
	03/28/2023	Retained in Committee for Action in Second Year of Session.
NH H 457	AUTHOR:	Bernardy [R]
	TITLE:	State Treasury Pension and Insurance Fund Management
	INTRODUCED:	01/11/2023
	LAST AMEND:	03/22/2023
	DISPOSITION:	Pending
	LOCATION:	Senate Executive Departments and Administration Committee
	SUMMARY:	
	Prohibits the State Treasurer and the retirement system conducting business with any financial institution or proxies which prioritize social, political, or ideological interests above or in concert with the traditional fiduciary duty to maximize financial benefit.	
	STATUS:	
	03/30/2023	Hearing: 04/05/2023.
NH H 461	AUTHOR:	Pearson S [R]
	TITLE:	Group II Retirement Position
	INTRODUCED:	01/11/2023
	LAST AMEND:	03/22/2023
	DISPOSITION:	Pending
	LOCATION:	Senate Executive Departments and Administration Committee
	SUMMARY:	
	Requires political subdivision employers to obtain an analysis from the retirement system and continue to pay contributions when eliminating or transferring a Group II position from full time to part time.	
	STATUS:	
	03/30/2023	Hearing: 04/05/2023.
NH H 571	AUTHOR:	Baroody [D]
	TITLE:	Cost of Living Adjustments in the Retirement System
	INTRODUCED:	01/11/2023
	DISPOSITION:	Pending
	LOCATION:	Retained in Committee for Second Year Action
	SUMMARY:	
		Establishes a cost of living adjustment in specified year to be paid by the retirement system on the first specified amount of a retired Group II member's or beneficiary's allowance; provides that the cost of this supplemental allowance is paid from the State General Fund.
	STATUS:	
	03/28/2023	Retained in Committee for Action in Second Year of Session.
NH H 250	AUTHOR:	Baroody [D]
	TITLE:	Accidental Death Benefit
	INTRODUCED:	01/09/2023
	DISPOSITION:	Pending
	LOCATION:	HOUSE
	SUMMARY:	
		Increases the amount of the state retirement annuity payable upon the accidental death of a Group II member to a specified percent of earnable compensation at the member's death.
	STATUS:	
	03/29/2023	From HOUSE Committee on FINANCE: Ought to pass with amendment.

LEGALIZATION OF MARIJUANA/MISC.

NH H 287	AUTHOR:	Newell [D]	
	TITLE:	Controlled Drug Act	
	INTRODUCED:	01/09/2023	
	DISPOSITION:	Pending	
	LOCATION:	Senate Judiciary Committee	
	SUMMARY:	Amends the definition of drug paraphernalia in the Controlled Drug Act and repeals testing equipment from the definition of drug paraphernalia.	
	STATUS:	03/23/2023 To SENATE Committee on JUDICIARY.	
NH H 360	AUTHOR:	Verville [R]	
	TITLE:	Cannabis Legalization	
	INTRODUCED:	01/09/2023	
	DISPOSITION:	Pending	
	LOCATION:	Senate Judiciary Committee	
	SUMMARY:	Legalizes the possession and use of cannabis for persons of a specified age and older.	
	STATUS:	03/21/2023 To SENATE Committee on JUDICIARY.	
H H 473	AUTHOR:	Roy [R]	
	TITLE:	Penalties for Controlled Drug Violations	
	INTRODUCED:	01/11/2023	
	DISPOSITION:	Pending	
	LOCATION:	Senate Judiciary Committee	
	SUMMARY:	Changes the penalty for certain schedule I, II, III, and IV drug offenses.	
	STATUS:	03/14/2023 To SENATE Committee on JUDICIARY.	
NH H 639	AUTHOR:	Osborne [R]	
	TITLE:	Legalization and Regulation of Cannabis	
	INTRODUCED:	01/12/2023	
	LAST AMEND:	02/22/2023	
	DISPOSITION:	Pending	
	LOCATION:	HOUSE	
	SUMMARY:	Establishes procedures for the legalization, regulation, and taxation of cannabis; relates to the licensing and regulation of cannabis establishments; appropriates funds.	
	STATUS:	03/30/2023 From HOUSE Committee on WAYS AND MEANS: Majority reported ought to pass with amendment.	
	STATUS:	03/30/2023 From HOUSE Committee on WAYS AND MEANS: Minority reported ought to pass.	

PROBATION AND PAROLE

NH H 504	AUTHOR:	Wallner [D]
	TITLE:	Adult Parole Board
	INTRODUCED:	01/11/2023
	DISPOSITION:	Pending
	LOCATION:	HOUSE
	SUMMARY:	Allows the appointment of a previous Adult Parole Board member to sit on the board, amends the stipend for the vice chairperson of the Adult Parole Board, and makes an appropriation to the board.
	STATUS:	
	03/29/2023	From HOUSE Committee on FINANCE: Majority reported ought to pass.
	03/29/2023	From HOUSE Committee on FINANCE: Minority reported ought to pass with amendment.
NH H 588	AUTHOR:	Harriott-Gathri [D]
	TITLE:	Criteria for Applying for Parole
	INTRODUCED:	01/12/2023
	LAST AMEND:	03/09/2023
	DISPOSITION:	Pending
	LOCATION:	Senate Judiciary Committee
	SUMMARY:	Allows an eligible incarcerated person to apply for parole upon the completion of a specified percent of such person's minimum sentence.
	03/14/2023	To SENATE Committee on JUDICIARY.
NH S 116	AUTHOR:	Senator Sharon Carson
	TITLE:	Secure Psychiatric Unit of the State Prison
	INTRODUCED:	01/19/2023
	DISPOSITION:	Pending
	LOCATION:	Senate Health and Human Services Committee
	SUMMARY:	Modifies criteria for committal order durations and clarifies that it is the Commissioner for the Department of Health and Human Services that authorizes persons transferred to state hospitals.
	03/30/2023	Rereferred to SENATE Committee on HEALTH AND HUMAN SERVICES.
NH S 130	AUTHOR:	Office of Abbas
	TITLE:	Court Security Officer Training Program
	INTRODUCED:	01/19/2023
	LAST AMEND:	03/09/2023
	DISPOSITION:	Pending
	LOCATION:	House Criminal Justice and Public Safety Committee
	03/29/2023	Authorizes the Police Standards and Training Council to develop a court security officer education and training program.
	03/29/2023	Public Hearing: 04/05/2023.
	03/29/2023	Executive Session: 04/05/2023.
NH S 153	AUTHOR:	Office of Watters
	TITLE:	First Responder Program
	INTRODUCED:	01/20/2023
	LAST AMEND:	03/16/2023
	DISPOSITION:	Pending
	LOCATION:	Laid on Table
	SUMMARY:	Establishes a first responder career development, recruitment, and retention program in the community college system; appropriates funds.
	03/30/2023	Passed SENATE. *****To HOUSE.
	03/30/2023	Laid on table.

BAIL

NH H 400	AUTHOR:	Roy [R]
	TITLE:	Certain Assault Offenses Bail Eligibility
	INTRODUCED:	01/10/2023
	LAST AMEND:	03/22/2023
	DISPOSITION:	Pending
	LOCATION:	Senate Judiciary Committee
	SUMMARY:	Establishes a separate criminal penalty and bail conditions for assaults involving a law enforcement officer, firefighter, or emergency medical services worker; establishes a criminal penalty for making a false report to a law enforcement officer.
	STATUS:	
	03/23/2023	To SENATE Committee on JUDICIARY.

NH S 252	AUTHOR:	Office of Donna Soucy
	TITLE:	Release of a Defendant Pending Trial
	INTRODUCED:	01/24/2023
	DISPOSITION:	Pending
	LOCATION:	House Criminal Justice and Public Safety Committee
	SUMMARY:	Lists certain offenses which, if committed by the defendant, create a presumption that a defendant is a danger to the public and shall be detained for up to a specified number of hours.
	STATUS:	
	03/29/2023	Public Hearing: 04/05/2023.
	03/29/2023	Executive Session: 04/05/2023.

NH H 653	AUTHOR:	Berry [R]
	TITLE:	Personal Recognizance Bail for Violent Crimes
	INTRODUCED:	01/17/2023
	DISPOSITION:	Pending
	LOCATION:	House Criminal Justice and Public Safety Committee
	SUMMARY:	Lists certain offenses which, if committed by the defendant, create a presumption that a defendant is a danger to the public and shall be detained for up to a specified number of hours; provides that a person who commits an offense while on bail shall be detained without bail pending a hearing before a judge.
	STATUS:	
	03/24/2023	To HOUSE Committee on CRIMINAL JUSTICE AND PUBLIC SAFETY.

NH S 249	AUTHOR:	Office of Abbas
	TITLE:	Release of a Defendant Pending Trial
	INTRODUCED:	01/24/2023
	DISPOSITION:	Pending
	LOCATION:	House Criminal Justice and Public Safety Committee
	SUMMARY:	Provides that a person who commits certain offenses while out on bail shall be detained in pretrial detention.
	STATUS:	
	03/29/2023	Public Hearing: 04/05/2023.
	03/29/2023	Executive Session: 04/05/2023.

WARRANTS/ARRESTS

NH S 58	AUTHOR:	Gray [R]
	TITLE:	Arrests Without a Warrant
	INTRODUCED:	01/12/2023
	LAST AMEND:	03/30/2023
	DISPOSITION:	Pending
	LOCATION:	HOUSE
	SUMMARY:	Authorizes a law enforcement officer to arrest a person without a warrant for interfering with the provision of medically-necessary health care services.
	STATUS:	
	03/30/2023	SENATE floor amendment failed.
	03/30/2023	Amended on SENATE floor.
	03/30/2023	Passed SENATE. *****To HOUSE.

H S 246	AUTHOR:	Office of Keith Murphy
	TITLE:	Disclosure of Post-Arrest Photographs
	INTRODUCED:	01/24/2023
	DISPOSITION:	Pending
	LOCATION:	Senate Judiciary Committee
	SUMMARY:	Provides that post-arrest photographs shall not be subject to disclosure under the Right to Know Law and specifies exceptions to the prohibition.
	STATUS:	
	03/30/2023	Rereferred to SENATE Committee on JUDICIARY.

NH H 135	AUTHOR:	Schultz [D]
	TITLE:	No Knock Warrants
	INTRODUCED:	01/04/2023
	LAST AMEND:	03/22/2023
	DISPOSITION:	Pending
	LOCATION:	Senate Judiciary Committee
	SUMMARY:	Provides that no law enforcement officer shall seek, execute, or participate in the execution of a no-knock search warrant; provides that any law enforcement officer involved in executing a search warrant shall be recognizable and identifiable as a uniformed law enforcement officer and provide audible notice of the officer's authority and purpose reasonably expected to be heard by occupants of such place to be searched prior to the execution of such search warrant.
	STATUS:	
	03/29/2023	Hearing: 04/04/2023.