

Committee Report

CONSENT CALENDAR

February 26, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Criminal Justice and Public Safety
to which was referred HB 316,

AN ACT requiring a person issued a summons to remain
of good behavior. Having considered the same, report
the same with the following resolution: **RESOLVED,**
that it is **INEXPEDIENT TO LEGISLATE.**

Rep. Dave Testerman

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Criminal Justice and Public Safety
Bill Number:	HB 316
Title:	requiring a person issued a summons to remain of good behavior.
Date:	February 26, 2021
Consent Calendar:	CONSENT
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

The purpose of this bill was to correct some minor wording requiring "good behavior" in RSA 594:14. It is redundant to a similar sentence just before the suggested change.

Vote 21-0.

Rep. Dave Testerman
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Criminal Justice and Public Safety

HB 316, requiring a person issued a summons to remain of good behavior. **INEXPEDIENT TO LEGISLATE.**

Rep. Dave Testerman for Criminal Justice and Public Safety. The purpose of this bill was to correct some minor wording requiring "good behavior" in RSA 594:14. It redundant to a similar sentence just before the suggested change and the Committee decided unanimously to vote the bill ITL.

Vote 21-0.

Original: House Clerk
Cc: Committee Bill File

Voting Sheets

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

EXECUTIVE SESSION on HB 316

BILL TITLE: requiring a person issued a summons to remain of good behavior.

DATE: February 26, 2021

LOB ROOM: 204

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Testerman

Seconded by Rep. Marston

Vote: 21-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Jennifer Rhodes, Clerk



2021 SESSION

Criminal Justice and Public Safety

 Bill #: 316 Motion: ITL AM #: _____ Exec Session Date: 2/26/2021

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Abbas, Daryl A. Chairman	21		
Welch, David A. Vice Chairman	1		
Burt, John A.	2		
Hopper, Gary S.	3		
Green, Dennis E.	4		
Wallace, Scott	5		
Testerman, Dave	6		
True, Chris	7		
Pratt, Kevin M.	8		
Marston, Dick	9		
Rhodes, Jennifer M. Clerk	10		
Harriott-Gathright, Linda C.	11		
Pantelakos, Laura C.	12		
O'Hearne, Andrew S.	13		
Bordenet, John	14		
Meuse, David	15		
Newman, Ray E.	16		
Bouldin, Amanda C.	17		
Conley, Casey M.	18		
Klein-Knight, Nicole	19		
Bradley, Amy	20		



1/22/2021 9:56:15 AM
Roll Call Committee Registers
Report

2021 SESSION

Criminal Justice and Public Safety


Bill #: _____ Motion: _____ AM #: _____ Exec Session Date: _____

TOTAL VOTE:

	21	0	
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Public Hearing

Testimony

Archived: Friday, March 5, 2021 9:57:29 AM
From: [Richard W. Head](#)
Sent: Friday, February 19, 2021 12:16:41 PM
To: ~House Criminal Justice and Public Safety
Cc: [Max Abramson](#)
Subject: HB316 (requiring a person issued a summons to remain of good behavior)
Importance: Normal
Attachments:
[HB316 NHJB Letter to Criminal Justice and Public Safety.pdf](#) 

Good afternoon Chairman Abbas and members of the House Criminal Justice and Public Safety Committee:

Attached please find correspondence filed on behalf of the Judicial Branch relative to House Bill 316. This bill is scheduled for hearing on February 26 at 1:45.

Should you have any questions, please do not hesitate to contact me.

Thank you.

Richard W. Head
Government Affairs Coordinator
New Hampshire Judicial Branch
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Concord, NH 03301
rhead@courts.state.nh.us
Direct dial: 603-415-0779
Cell: 603-716-8235

Bill as
Introduced

HB 316 - AS INTRODUCED

2021 SESSION

21-0406
04/05

HOUSE BILL **316**

AN ACT requiring a person issued a summons to remain of good behavior.

SPONSORS: Rep. Testerman, Merr. 2; Rep. Marsh, Carr. 8

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill amends the summons form to require the defendant remain of good behavior pending his or her appearance.

.....

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough.]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT requiring a person issued a summons to remain of good behavior.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Summons Instead of Arrest. Amend RSA 594:14, I to read as follows:

2 I. In any case in which it is lawful for a peace officer to arrest without a warrant a person for
3 a misdemeanor or violation, he or she may instead issue to the person in hand a written summons in
4 substantially the following form:

5 The State of New Hampshire

6 To

7 You are hereby notified to appear before the circuit court of the State of New
8 Hampshire, district division, to be holden in on the day of 20 at
9 o'clock in the forenoon (afternoon) to answer to a complaint (to be filed in said court) charging
10 you with in violation of the laws of the State of New Hampshire. If you are charged with a
11 class A misdemeanor or felony and you want a lawyer to represent you at the arraignment and
12 throughout your case, but you cannot afford to hire a lawyer, you must fill out an application for
13 court-appointed counsel and deliver it to the circuit court identified above as soon as possible. The
14 court will appoint an attorney to represent you if your application shows that you are eligible. If you
15 believe that you are eligible for appointed counsel, you may apply prior to your arraignment.

16 Hereof fail not, as you will answer your default under the penalty of the law in that behalf made and
17 provided.

18 Pending appearance as described herein, you shall remain of good behavior.

19 Dated at

20 Name

21 the..... day of 20.....

22 Title

23

24 Upon failure to appear or to remain of good behavior, a warrant of arrest may issue. Any person
25 who fails to **remain of good behavior or** appear in answer to such summons shall be guilty of a
26 misdemeanor.

27 2 Effective Date. This act shall take effect upon its passage.