

Committee Report

CONSENT CALENDAR

February 8, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Criminal Justice and Public Safety
to which was referred HB 375,**

**AN ACT allowing the destruction of valueless
contraband by the chief of police. Having considered
the same, report the same with the recommendation
that the bill OUGHT TO PASS.**

Rep. Chris True

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Criminal Justice and Public Safety
Bill Number:	HB 375
Title:	allowing the destruction of valueless contraband by the chief of police.
Date:	February 8, 2021
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS

STATEMENT OF INTENT

The committee, having heard testimony from various police departments and chiefs of police, agrees that noncontraband abandoned or lost property, that can not be returned and does not have any monetary value may be destroyed or disposed of, as directed by the chief of police of the department.

Vote 20-1.

Rep. Chris True
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Criminal Justice and Public Safety

HB 375, allowing the destruction of valueless contraband by the chief of police. **OUGHT TO PASS.**
Rep. Chris True for Criminal Justice and Public Safety. The committee, having heard testimony from various police departments and chiefs of police, agrees that noncontraband abandoned or lost property, that can not be returned and does not have any monetary value may be destroyed or disposed of, as directed by the chief of police of the department. **Vote 20-1.**

Original: House Clerk
Cc: Committee Bill File

Voting Sheets



2021 SESSION

Criminal Justice and Public Safety

Bill #: 375 Motion: OTP AM #: _____ Exec Session Date: 2/8/2019
2021

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Abbas, Daryl A. Chairman	20		
Welch, David A. Vice Chairman	1		
Burt, John A. <i>Alafanden</i>	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 <i>LaBlanche</i>		1	

Public Hearing

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

PUBLIC HEARING ON HB 375

BILL TITLE: (New Title) allowing the destruction of valueless contraband by the chief of police, the chief's designee, the county sheriff, or the sheriff's designee.

DATE: February 8, 2021

LOB ROOM: Hybrid **Time Public Hearing Called to Order:**

Time Adjourned:

Committee Members: Reps. Abbas, Welch, Rhodes, Burt, Hopper, Green, Wallace, Testerman, True, Pratt, Marston, Harriott-Gathright, Pantelakos, O'Hearne, Bordenet, Meuse, R. Newman, Amanda Bouldin, Conley, Klein-Knight and Bradley

Bill Sponsors:
Rep. Long

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Pat Long – Support

- Property that nobody claims, and can't or won't be auctioned by auctioneer

Q: Rep. Bordenet – What happens if person is in prison?

A: Person not able to be heard

Joe Haas – Neutral

- Feels “determined” should be made by board of selectman – not police to provide check and balance

Respectfully submitted,

Rep. Jennifer Rhodes, Clerk

House Remote Testify

Criminal Justice and Public Safety Committee Testify List for Bill HB375 on 2021-02-08

Support: 3 Oppose: 2 Neutral: 0 Total to Testify: 1

[Export to Excel](#)

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
LONG, REP. PAT	Long55@comcast.net	An Elected Official	Constituents	Support	Yes (0m)	No	1/29/2021 1:18 PM
Lord, Kit	kitlord@yahoo.com	A Member of the Public	Myself	Support	No	No	2/5/2021 11:53 AM
ploszaj, tom	tom.ploszaj@leg.state.nh.us	An Elected Official	Myself	Oppose	No	No	2/5/2021 12:55 PM
Sargent, Elizabeth	esargent@sheehan.com	A Lobbyist	NH Association of Chiefs of Police	Support	No	No	2/5/2021 8:52 PM
Rathbun, Eric	ericsrathbun@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/7/2021 10:46 PM

Testimony

Archived: Monday, February 15, 2021 10:05:51 AM

From: [Patrick Long](#)

Sent: Friday, February 5, 2021 1:04:12 PM

To: ~House Criminal Justice and Public Safety

Subject: Written Testimony HB 375

Importance: Normal

Attachments:

[MPD Remarks HB 375 copy.docx](#) 

Find attached written testimony from Lieutenant Ken Loui of the Manchester Police Department for HB 375, to be heard on Monday 2/08 at 11:30.

Thank you,
Representative Pat Long

Bill as
Introduced

HB 375 - AS INTRODUCED

2021 SESSION

21-0454
08/04

HOUSE BILL **375**

AN ACT allowing the destruction of valueless contraband by the chief of police.

SPONSORS: Rep. Long, Hills. 10

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill allows the destruction of valueless contraband by the chief of police.

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 allowing the destruction of valueless contraband by the chief of police.

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

1 1 Destruction of Property Held by Police. Amend RSA 471-C:13 to read as follows:

2 471-C:13 Property Held in Police Department Property Rooms.

3 **I.** Notwithstanding any other provisions of law to the contrary, all noncontraband
4 abandoned or lost personal property which has a value of \$250 or more and which has been held in a
5 police department property room for a period of at least 180 days, or which has a value of less than
6 \$250 and has been held for a period of at least 90 days, may be disposed of by the police department
7 by returning it to the finder, if known, if the finder was other than a police officer who discovered the
8 property during the course of the police officer's usual police duties. If the property cannot be
9 returned to the finder, the property shall be sold at public auction with the proceeds to be turned
10 over to the town or city treasurer. Except that any bicycle which has been held in a police
11 department property room for a period of 90 days or more shall be sold at public auction with the
12 proceeds to be used for the support of local bicycle safety programs, or, if no local bicycle safety
13 programs are available, then with the consent of the local governing body, to be used for any other
14 purpose. The police department shall be relieved of all liability for any claim thereafter arising or
15 made with respect to property disposed of under this section. A good faith judgment of the value of
16 the property by the police department shall be determinative for purposes of this section.

17 **II. *If the noncontraband abandoned or lost personal property cannot be returned***
18 ***under paragraph I, and if it is determined in good faith by the police department to be of***
19 ***no monetary value then said property may be destroyed or disposed of as directed by the***
20 ***chief of police for the department.***

21 2 Effective Date. This act shall take effect 60 days after its passage.