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**CONSENT CALENDAR**

**January 12, 2022**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on Criminal Justice and Public Safety  
to which was referred HB 1493,**

**AN ACT relative to the drug forfeiture fund. Having  
considered the same, report the same with the following  
amendment, and the recommendation that the bill  
OUGHT TO PASS WITH AMENDMENT.**

**Rep. John Burt**

**FOR THE COMMITTEE**

## COMMITTEE REPORT

Committee:	<b>Criminal Justice and Public Safety</b>
Bill Number:	<b>HB 1493</b>
Title:	<b>relative to the drug forfeiture fund.</b>
Date:	<b>January 12, 2022</b>
Consent Calendar:	<b>CONSENT</b>
Recommendation:	<b>OUGHT TO PASS WITH AMENDMENT 2022-0085h</b>

### STATEMENT OF INTENT

This bill as amended adds transparency to reporting seizures and forfeitures by the attorney general's office. It also combines two reporting requirements into one to simplify compliance.

Vote 20-0.

Rep. John Burt  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

Criminal Justice and Public Safety

**HB 1493**, relative to the drug forfeiture fund. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Burt for Criminal Justice and Public Safety. This bill as amended adds transparency to reporting seizures and forfeitures by the attorney general's office. It also combines two reporting requirements into one to simplify compliance. **Vote 20-0.**

Original: House Clerk

Cc: Committee Bill File

Rep. Lang, Belk. 4  
January 12, 2022  
2022-0085h  
08/04

Amendment to HB 1493

1 Amend RSA 318-B:17-c, III as inserted by section 1 of the bill by replacing it with the following:

2

3 **III. *The attorney general shall report the receipts, expenditures, and balances and***  
4 ***all other reporting elements of the drug forfeiture fund in the report on forfeiture activity***  
5 ***required by RSA 617:12. The attorney general may exclude any information which would***  
6 ***reveal the identity of an informant or compromise an ongoing investigation.***





2021 SESSION

20-0 AMB/Direct

**Criminal Justice and Public Safety**

Bill #: HB 1493 Motion: OTP AM #: 0085H Exec Session Date: 11/26/2022

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



2021 SESSION

Criminal Justice and Public Safety

Bill #: HB1493 Motion: OTPA AM #: 085H Exec Session Date: 1-12-22

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

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

PUBLIC HEARING ON HB 1493

**BILL TITLE:** relative to the drug forfeiture fund.

**DATE:** January 12, 2022

**LOB ROOM:** 204                      **Time Public Hearing Called to Order:** 12:55

**Time Adjourned:** 13:18

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

**Bill Sponsors:**  
Rep. Sylvia

TESTIMONY

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

Rep. Silvia

- Introduces bill

Rep. Pantelakos

- "What is the connection between MN & NH?"

Dennis Corrigan

- Supports bill, based on the desirable position of the public to see the data captured and how the seized funds are handled.

Ross Connolly - AFP-NH

- Supports - provides transparency of greater detail.

Rep. Pantelakos

- Asks, "Is there a report already"?"

Ross Connolly

- Yes, there is a report already, we just want more details.

Lee McGrath - Institute for Justice

- Supports average forfeiture equal to \$ 1300. nation wide.
- Civil actions don't get access to public defenders.

Rep. Mike Sylvie

- Supports

Respectfully submitted,

Rep. Scott Wallace, Clerk





# House Remote Testify

## Criminal Justice and Public Safety Committee Testify List for Bill HB1493 on 2022-01-12

Support: 5 Oppose: 2 Neutral: 0 Total to Testify: 0

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>
Bryfonski, John	Bedford Police Chief, NH jbryfonski@bedfordnh.org	A Member of the Public	Myself	Oppose	No	No	1/11/2022 12:47 PM
Hannon, Joe	Lee, NH Joehannon4nh@gmail.com	A Member of the Public	Myself	Support	No	No	1/12/2022 9:17 AM
Wright, William	Belmont, NH wwright@belknapcounty.org	An Elected Official	Belknap County Sheriff's Office	Oppose	No	No	1/12/2022 9:19 AM
knaack, frank	Concord, NH fknaack@aclu-nh.org	A Lobbyist	ACLU of New Hampshire	Support	No	No	1/12/2022 9:45 AM
Goldstein, David	AUBURN, NH dgoldstein@franklinnh.org	A Member of the Public	Myself	Oppose	No	No	1/12/2022 11:28 AM

HB 1493 - AS INTRODUCED

2022 SESSION

22-2503

08/04

HOUSE BILL            **1493**

AN ACT                relative to the drug forfeiture fund.

SPONSORS:            Rep. Sylvia, Belk. 6

COMMITTEE:          Criminal Justice and Public Safety

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ANALYSIS

This bill requires the attorney general to include the drug forfeiture fund in an annual report.

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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 Two*

AN ACT relative to the drug forfeiture fund.

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

1 1 Drug Forfeiture Fund. Amend RSA 318-B:17-c, II-III to read as follows:

2 II. Law enforcement agencies may apply to the department of justice for grants from the  
3 forfeiture fund. Such grants shall be utilized exclusively for meeting expenses associated with drug  
4 related investigations. The attorney general shall report 60 days after the close of each fiscal year to  
5 the governor and council and to the fiscal committee of the general court a detailed accounting of the  
6 grants provided to law enforcement agencies under this paragraph by agency, including the  
7 department of safety, and the amount forwarded to the department of health and human services,  
8 bureau of drug and alcohol services, for the preceding fiscal year. ~~[The attorney general's report  
9 shall also include a detailed accounting of the costs of investigations, enforcement programs, and  
10 prosecutions paid under paragraph I.]~~

11 III. ***The attorney general shall report the receipts, expenditures and balances and  
12 all other reporting elements of the drug forfeiture fund in the report on forfeiture activity  
13 required by RSA 617:12.***

14 IV. The attorney general ~~[shall]~~ **may** adopt rules, pursuant to RSA 541-A, relative to:

- 15 (a) The administration of the drug forfeiture fund.
- 16 (b) The grant application procedures and forms to be used by law enforcement agencies.

17 2 Report; Forfeitures of Personal Property. Amend RSA 617:12, I to read as follows:

18 I. The attorney general, no later than 120 days after the close of the fiscal year, shall post a  
19 report on the department of justice website detailing state forfeiture activity, for the preceding fiscal  
20 year, including the type, approximate value, and disposition of ~~[the]~~ **each** property seized, and the  
21 amount of any proceeds received or expended at the state and local levels. The report shall provide a  
22 categorized accounting of all proceeds expended. ~~[Summary]~~ Data on seizures, forfeitures, and  
23 expenditures of forfeiture proceeds shall be provided by the law enforcement agency in disaggregated  
24 form to the attorney general.

25 3 Repeal. RSA 318-B:17-f, relative to forfeiture reports, is repealed.

26 4 Effective Date. This act shall take effect 60 days after its passage.