

LEGISLATIVE COMMITTEE MINUTES

# HB254

# Bill as Introduced

HB 254 - AS AMENDED BY THE HOUSE

24Feb2021... 0140h  
6Jan2022... 2162h

2021 SESSION

21-0275  
05/04

HOUSE BILL            **254**

AN ACT                relative to the placement of minors in secure settings.

SPONSORS:            Rep. Rice, Hills. 37; Rep. Long, Hills. 10; Rep. Wallner, Merr. 10; Rep. M. Smith,  
Straf. 6; Sen. Carson, Dist 14; Sen. Hennessey, Dist 1; Sen. Rosenwald, Dist 13

COMMITTEE:          Children and Family Law

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AMENDED ANALYSIS

This bill addresses the criteria for secure detention pending adjudication and the circumstances in which a minor may be committed to the department of health and human services for the remainder of his or her minority.

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                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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21-0275  
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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty One*

AN ACT relative to the placement of minors in secure settings.

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

1 Statement of Findings. The general court finds that:

2 I. Placement in corrections settings can be harmful to children and lead to increased  
3 delinquency and adult criminal behavior. It should therefore be reserved for those circumstances in  
4 which the safety of a child or of the community requires such confinement.

5 II. Placement of children who are not serious violent offenders in settings other than the  
6 Sununu Youth Services Center (SYSC) complies with The Families First Act, PL 115-123, and the  
7 New Hampshire system of care established pursuant to 2019; 44 (SB 14), which prioritize  
8 community-based treatment of children.

9 III. This act is in furtherance of these goals.

10 2 Delinquent Children; Release or Detention Pending Adjudicatory Hearing. Amend RSA 169-  
11 B:14, I(e)(3) to read as follows:

12 (3) Secure detention shall ~~not~~ **only** be ordered:

13 (A) For delinquency charges which may ~~not~~ form the basis for commitment  
14 under RSA 169-B:19, I(j); **or**

15 (B) **When a petition does not allege a violation of RSA 262 or RSA 637,**  
16 **possession of a controlled drug without intent to sell under RSA 318-B, or any violation of**  
17 **RSA 634, RSA 635, RSA 641, or RSA 644, which would be a misdemeanor if committed by an**  
18 **adult.**

19 3 Delinquent Children; Release or Detention Pending Adjudicatory Hearing. RSA 169-B:14,  
20 I(e)(3) is repealed and reenacted to read as follows:

21 (3) Secure detention shall not be ordered for delinquency charges which may not  
22 form the basis for commitment under RSA 169-B:19, I(j).

23 4 Delinquent Children; Dispositional Hearing. Amend RSA 169-B:19, I(j) to read as follows:

24 (j) Commit the minor to the custody of the department of health and human services for  
25 the remainder of minority. Commitment under this subparagraph may only be made following  
26 written findings of fact by the court, supported by clear and convincing evidence, that commitment is  
27 necessary to protect the safety of the minor or of the community, and may only be made if the minor  
28 has not waived the right to counsel at any stage of the proceedings. If there is a diagnosis or other  
29 evidence that a minor committed under this subparagraph may have a serious emotional  
30 disturbance or other behavioral health disorder, the minor shall, with the consent of the minor and

1 the minor's family, be referred to a care management entity pursuant to RSA 135-F:4, III. The care  
 2 management entity shall develop and oversee the implementation of a care plan for the minor,  
 3 intended to reduce the period of commitment. Commitment may not be based on a finding of  
 4 contempt of court if the minor has waived counsel in the contempt proceeding or at any stage of the  
 5 proceedings from which the contempt arises. Commitment may include, but is not limited to,  
 6 placement by the department of health and human services at a facility certified for the commitment  
 7 of minors pursuant to RSA 169-B:19, VI, administrative release to parole pursuant to RSA 621:19, or  
 8 administrative release consistent with the cap on youth development center population under RSA  
 9 621:10, provided that the appropriate juvenile probation and parole officer is notified. Commitment  
 10 under this subparagraph shall not be ordered as a disposition for ~~[a violation of RSA 262 or 637,~~  
 11 ~~possession of a controlled drug without intent to sell under RSA 318-B, or violations of RSA 634, 635,~~  
 12 ~~641, or 644, which would be a misdemeanor if committed by an adult]~~ **any offense other than first**  
 13 **degree murder, second degree murder, attempted murder, manslaughter, negligent**  
 14 **homicide under RSA 630:3, II, first degree assault, second degree assault, except when the**  
 15 **allegation is a violation of RSA 631:2, I(d), felonious sexual assault, aggravated felonious**  
 16 **sexual assault, kidnapping, criminal restraint, robbery punishable as a class A felony,**  
 17 **burglary while armed or involving the infliction of bodily harm under RSA 635:1, II, or**  
 18 **arson punishable as a felony.** ~~[However, commitment may be ordered under this subparagraph~~  
 19 ~~for any offense which would be a felony or class A misdemeanor if committed by an adult if the~~  
 20 ~~minor has previously been adjudicated under this chapter for at least 3 offenses which would be~~  
 21 ~~felonies or class A misdemeanors if committed by an adult. A court shall only commit a minor based~~  
 22 ~~on previous adjudications if it finds by clear and convincing evidence that each of the prior offenses~~  
 23 ~~relied upon was not part of a common scheme or factual transaction with any of the other offenses~~  
 24 ~~relied upon, that the adjudications of all of the prior offenses occurred before the date of the offense~~  
 25 ~~for which the minor is before the court, and that the minor was represented by counsel at each stage~~  
 26 ~~of the prior proceedings following arraignment.]~~

27 5 New Subparagraph; Delinquent Children; Dispositional Hearing. Amend RSA 169-B:19, I by  
 28 inserting after subparagraph (l) the following new subparagraph:

29 (m) Notwithstanding the provisions of RSA 169-B:19, I(j), a court may commit the minor  
 30 to the custody of the department of health and human services for the remainder of minority if the  
 31 minor is found delinquent for an offense which would be a felony if committed by an adult and the  
 32 court finds that there is no placement or set of supervision and treatment services other than secure  
 33 confinement that will protect the public from a substantial risk of serious bodily injury. A court's  
 34 finding pursuant to this subparagraph is only sufficient to support secure confinement if it is made  
 35 by clear and convincing evidence following either a stipulation by the parties or an evidentiary  
 36 hearing at which the rules of evidence have applied. Further, the court's finding shall include  
 37 written case-specific findings which identify the evidence relied upon and the basis for the

1 determination that secure confinement is necessary. Commitment under this subparagraph may  
2 only be made if the minor has not waived the right to counsel at any stage of the proceedings. If  
3 there is a diagnosis or other evidence that a minor committed under this subparagraph may have a  
4 serious emotional disturbance or other behavioral health disorder, the minor shall, with the consent  
5 of the minor and the minor's family, be referred to a care management entity pursuant to RSA 135-  
6 F:4, III. The care management entity shall develop and oversee the implementation of a care plan  
7 for the minor, intended to reduce the period of commitment. Commitment may include, but is not  
8 limited to, placement by the department of health and human services at a facility certified for the  
9 commitment of minors pursuant to RSA 169-B:19, VI, administrative release to parole pursuant to  
10 RSA 621:19, or administrative release consistent with the cap on youth development center  
11 population under RSA 621:10, provided that the appropriate juvenile probation and parole officer is  
12 notified.

13 6 Applicability.

14 I. RSA 169-B:14, I(e)(3), as amended by sections 2 of this act, shall apply to cases pending on  
15 September 1, 2022 in which a dispositional order has not yet been entered.

16 II. RSA 169-B:14, I(e)(3), as amended by section 3 of this act, shall apply to cases pending on  
17 January 1, 2023 in which a dispositional order has not yet been entered.

18 III. RSA 169-B:19, as amended by sections 4 and 5 of this act, shall apply to cases pending  
19 on September 1, 2022 in which a dispositional order has not yet been entered.

20 7 Effective Date.

21 I. Section 3 of this act shall take effect January 1, 2023.

22 II. The remainder of this act shall take effect September 1, 2022.

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24Feb2021... 0140h  
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24 (j) Commit the minor to the custody of the department of health and human services for  
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 31 minor to the custody of the department of health and human services for the remainder of minority  
 32 if:

33 (A) The minor is found delinquent:

34 (i) For an offense which would be a felony if committed by an adult; or

35 (ii) For an offense which would be a class A misdemeanor if committed by an  
 36 adult and the minor has previously been adjudicated delinquent under this chapter for at least 3  
 37 offenses which would be felonies or class A misdemeanors if committed by an adult; and

1 (B) The court finds that there is no placement or set of supervision and  
2 treatment services other than secure confinement:

3 (i) That will protect the public from a substantial risk of serious bodily  
4 injury;

5 (ii) That will protect the public from a substantial risk of significant loss,  
6 damage, or destruction of property; or

7 (iii) That, given the seriousness of the minor's criminal conduct, constitutes  
8 an appropriate disposition under all the circumstances; or

9 (C) Pursuant to a plea agreement entered into by a minor with consultation of  
10 counsel, and the court makes express findings that this disposition is in the best interest of the  
11 minor.

12 (2) A court's finding pursuant to subparagraphs (1)(A) and (1)(B) is only sufficient to  
13 support secure confinement if it is made by clear and convincing evidence following either a  
14 stipulation by the parties or a hearing. Further, the court's finding shall include written case-  
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# Amendments

Amendment to HB 254

1 Amend the bill by replacing section 5 with the following:

2

3 5 New Subparagraph; Delinquent Children; Dispositional Hearing. Amend RSA 169-B:19, I by  
4 inserting after subparagraph (l) the following new subparagraph:

5 (m)(1) Notwithstanding the provisions of RSA 169-B:19, I(j), a court may commit the  
6 minor to the custody of the department of health and human services for the remainder of minority  
7 if:

8 (A) The minor is found delinquent:

9 (i) For an offense which would be a felony if committed by an adult;

10 (ii) For an offense which would be the class A misdemeanor of simple assault  
11 involving purposefully or knowingly causing bodily injury to another if committed by an adult; or

12 (iii) For an offense which would be a class A misdemeanor if committed by an  
13 adult and the minor has previously been adjudicated delinquent under this chapter for at least 3  
14 offenses which would be felonies or class A misdemeanors if committed by an adult; and

15 (B) The court finds that there is no placement or set of supervision and treatment  
16 services other than secure confinement:

17 (i) That will protect the public from a substantial risk of serious bodily injury;

18 (ii) That will protect the public from a substantial risk of significant loss,  
19 damage, or destruction of property; or

20 (iii) That, given the seriousness of the minor's criminal conduct, constitutes an  
21 appropriate disposition under all the circumstances.

22 (2) A court's finding pursuant to this subparagraph is only sufficient to support  
23 secure confinement if it is made by clear and convincing evidence following either a stipulation by  
24 the parties or an evidentiary hearing at which the rules of evidence have applied. Further, the  
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- Page 2 -

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3 B:19, VI, administrative release to parole pursuant to RSA 621:19, or administrative release  
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14 treatment services other than secure confinement:

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16 injury;

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18 damage, or destruction of property; or

19 (iii) That, given the seriousness of the minor's criminal conduct, constitutes  
20 an appropriate disposition under all the circumstances; or

21 (C) Pursuant to a plea agreement entered into by a minor with consultation of  
22 counsel, and the court makes express findings that this disposition is in the best interest of the  
23 minor.

24 (2) A court's finding pursuant to subparagraphs (1)(A) and (1)(B) is only sufficient to  
25 support secure confinement if it is made by clear and convincing evidence following either a  
26 stipulation by the parties or ~~an evidentiary hearing, at which the rules of evidence have applied.~~  
27 Further, the court's finding shall include written case-specific findings which identify the evidence  
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(no change)  
of the minor ↓  
~~(the minor and)~~

1 minor shall, with the consent of ~~(the minor and)~~ the minor's family, be referred to a care management  
2 entity pursuant to RSA 135-F:4, III. The care management entity shall develop and oversee the  
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32 minor shall, with the consent of the minor and the minor's family, be referred to a care management



**Amendment to HB 254**

**- Page 2 -**

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2 implementation of a care plan for the minor, intended to reduce, if possible, the period of  
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7 the appropriate juvenile probation and parole officer is notified.

Sen. Bradley, Dist 3  
May 2, 2022  
2022-1908s  
05/04

Floor Amendment to HB 254

1 Amend RSA 169-B:14, I(e)(3)(A) as inserted by section 2 of the bill by replacing it with the following:

2

3 (A) For delinquency charges which may ~~not~~ form the basis for commitment  
4 under RSA 169-B:19, I(j) *or RSA 169-B:19, I(m); or*

5

6 Amend the bill by replacing section 3 with the following:

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9 I(e)(3) is repealed and reenacted to read as follows:

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11 form the basis for commitment under RSA 169-B:19, I(j) or RSA 169-B:19, I(m).

# Committee Minutes

# SENATE CALENDAR NOTICE

## Judiciary

Sen Sharon Carson, Chair  
 Sen Bill Gannon, Vice Chair  
 Sen Harold French, Member  
 Sen Rebecca Whitley, Member  
 Sen Jay Kahn, Member

Date: March 30, 2022

### HEARINGS

Thursday

04/07/2022

	(Day)		(Date)	
Judiciary		State House 100		9:00 a.m.
(Name of Committee)		(Place)		(Time)
9:00 a.m.	<b>HB 629-FN</b>			relative to the home cultivation of cannabis plants and the possession of certain cannabis-infused products.
9:30 a.m.	<b>HB 1677-FN</b>			relative to the administration and settlement of claims of abuse at the youth development center and making an appropriation therefor.
10:00 a.m.	<b>HB 1673-FN</b>			relative to the scope of the fetal life protection act.
1:00 p.m.	<b>HB 1346</b>			establishing a commission to study the New Hampshire family court system.
1:15 p.m.	<b>HB 1325</b>			relative to release of confidential records of a person appointed a guardian.
1:30 p.m.	<b>HB 1515</b>			relative to the guardian ad litem report requirements.
1:45 p.m.	<b>HB 1520</b>			relative to procedures for guardians ad litem.
2:00 p.m.	<b>HB 254</b>			relative to the placement of minors in secure settings.
2:15 p.m.	<b>HB 1265</b>			relative to the waiver of rules in family court proceedings and requiring the establishment of a family division rule waiver database.

### EXECUTIVE SESSION MAY FOLLOW

**Sponsors:**

**HB 629-FN**

Rep. McGuire  
 Rep. Sylvia

Rep. True  
 Rep. McWilliams

Rep. Verville

Rep. T. Lekas

**HB 1677-FN**

Rep. Umberger  
 Sen. Bradley

Rep. Wallner

Rep. Rice

Rep. Long

**HB 1673-FN**

Rep. M. Smith  
 Rep. Kenney  
 Sen. Rosenwald

Rep. Simpson  
 Rep. Amanda Bouldin  
 Sen. Whitley

Rep. Altschiller  
 Rep. Rogers  
 Sen. Sherman

Rep. Toll  
 Rep. K. Murray

**HB 1346**

Rep. Gay  
 Rep. Harley  
 Rep. Homola

Rep. Stapleton  
 Rep. Bernardy  
 Rep. Woods

Rep. Rung  
 Rep. Wuelper

Rep. McWilliams  
 Rep. Greeson

**HB 1325**

Rep. P. Schmidt

**HB 1515**

Rep. Gay

Rep. Kofalt

Rep. Post

**HB 1520**

Rep. Belanger

Rep. Andrew Bouldin

Rep. B. Boyd

Sen. Bradley

**HB 254**

Rep. Rice

Sen. Carson

**HB 1265**

Rep. Gay

Rep. Bernardy

Rep. DiLorenzo

Rep. Stapleton

Rep. Cali-Pitts

Rep. Long

Rep. Moran

Rep. Prout

Rep. Long

Sen. Hennessey

Rep. Stapleton

Rep. Greeson

Rep. Post

Rep. Langley

Rep. Bernardy

Rep. M. Pearson

Rep. McGuire

Sen. Gannon

Rep. Wallner

Sen. Rosenwald

Rep. Rung

Rep. Langley

Sen. Reagan

Rep. Booras

Rep. McWilliams

Rep. Amanda Bouldin

Rep. Johnson

Sen. Watters

Rep. M. Smith

Rep. Harley

Rep. Kofalt

Jennifer Horgan 271-7875

Sharon M Carson  
Chairman

**Senate Judiciary Committee**  
*Jennifer Horgan 271-7875*

HB 254, relative to the placement of minors in secure settings.

**Hearing Date:** April 7, 2022

**Time Opened:** 2:19 p.m.

**Time Closed:** 3:13 p.m.

**Members of the Committee Present:** Senators Carson, Gannon, French, Whitley and Kahn

**Members of the Committee Absent :** None

**Bill Analysis:** This bill addresses the criteria for secure detention pending adjudication and the circumstances in which a minor may be committed to the department of health and human services for the remainder of his or her minority.

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**Sponsors:**

Rep. Rice

Rep. Long

Rep. Wallner

Rep. M. Smith

Sen. Carson

Sen. Hennessey

Sen. Rosenwald

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**Who supports the bill:** Senator Rosenwald; Senator Hennessey; Representative Wallner; Representative Long; Representative Belanger; Representative Erf; Keith Kuenning, Waypoint; John DeJoie; Marilyn Mahoney

**Who opposes the bill:** Representative Lynn

**Who is neutral on the bill:** Pail Halvorsen, Merrimack County Attorney

**Summary of testimony presented in support:**

**Representative Wallner**

- This bill is meant to continue the State's efforts to provide care for the children.
- The language limits the criteria for secure detention at the Sununu Youth Services Center (SYSC).
- Secure detention will only be allowed in circumstances where the safety of the child or the community would require such a requirement.
- The offenses that would require secure detention are listed in the bill.
- Placement of children in correctional facilities can cause lifelong harm.
- The Families First Act and the NH system of care prioritizes community-based treatment

- This is another step to providing care for children in the least restrictive environment.

### **John DeJoie**

- The only thing this bill does is take commitment to SYSC off the table.
- RSA169-B:19 covers juvenile dispositions from (a) to (j). This bill removes (j) from the selections for dispositions for certain offenses. All the other offenses are still available to the judges.
- Spoke to the work done to improve the juvenile justice system, and how there was always an outcry that this was going to cause issues for public safety.
- In retrospect, at every step, kids have become more successful, it has not compromised public safety, and it has been less expensive for the State.
- In 2017 the Legislature made significant changes to the conditions of confinement, only permitting felonies to result in commitment to SYSC except for simple assaults.
- This resulted in the SYSC to move from having 65 individuals to 14.
- Spoke to the legislative history of this topic being bicameral and bipartisan.
- 75% of the children at SYSC at any point in time are dealing with behavioral health issues.
- Of the kids discharged from SYSC nearly 2/3 end up returning.
- Kids need behavioral health treatment, and the treatment at SYSC is not having the desired effect because those kids are coming back.
- NH has a long history of over incarcerating low-level offenders, meaning the State puts a lot of kids in jail for low level offenses.
- From 2019-2020 of the kids committed to SYSC 50-60% of them had a highest-level of charge be a misdemeanor.
- We do not send adults to jail for misdemeanors, but we do send kids.
- The system of care is intended to provide a variety of services to treat kids in the least restrictive alternative ideally with their own families when possible, which is where kids do best.
- The current law says kids can only be detained if their offenses would permit them to otherwise be committed post adjudication.
- This bill focuses on serious violent offenses.
- When you change the standard of commitment, you also change the standard of detention.
- The standards of commitment would change on September 1, 2022.
- The detention standards would change January 1, 2023, making detention and commitment the same at that point.
- Does not believe the judicial override is necessary, but Section 5 includes it to ensure that this does not jeopardize public safety or leave a judge to feel like they do not have a choice.
- In 2017 when the law went into effect that changed the conditions of confinement, there were some kids in the process of trials or had convictions and it became very unclear which law should be applied to which kids when.

- That is what the applicability section of the bill addresses.
- There are two major pieces of property crimes: arson and criminal mischief.
- Arson is primarily included in the bill, but criminal mischief is not.
- Whether or not that criminal mischief is a felony seems to be tied to the value of property lost and whether a firearm is discharged.
- Would support an amendment to include criminal mischief in the bill for any offense that could be charged as a felony.
- Senator Gannon asked if a juvenile who destroys hundreds of thousands of dollars of property would not be committed under this bill.
  - Thinks his proposed amendment to add in criminal mischief would take care of that. The argument that we are going to get kids to commit crimes because they can't go to jail was the same argument used in 1995; it did not hold water by in large then and it does not now. The SYSC has 144 beds that we did not end up needing that many. Thinks we can get there in half steps. RSA 639-A covers building a lab or having a lab, thinks that would be reasonable to add as well.
- Senator Whitley stated that NH has two care management entities who are providing services and ensuring kids get what they need. Asked if they have weighed in on this legislation.
  - This bill was originally submitted to the House last year, with the work of the Juvenile Reform Project. The care management entities are not a part of that group. Believes the group did talk to them and make some minor revisions.

**Summary of testimony presented in opposition:**

**Representative Lynn (provided written testimony)**

- Did vote in favor of this in House Finance because he is meant to only look at the financial impact when voting in House Finance.
- Thinks this is very bad public policy.
- Under current law, a juvenile cannot be committed to a juvenile detention facility for any theft crime, any false statement crime, or any breach of peace crime. This encompasses any crime that would be a misdemeanor if it was committed by an adult.
- There is a three strikes exemption to this if a minor is found delinquent on three separate charges.
- This bill significantly expands the crimes under which a minor can never be committed to include essentially all nonviolent crimes even if they are felonies.
- This bill prohibits the committal of minors for property offenses, regardless of the amount of property stolen or damaged, unless the minor is armed with a weapon or there is a threat of actual infliction of bodily injury.
- This bill sends the message that property rights are not important.
- We have all seen the consequences of legislation like this in Los Angeles and San Francisco.



- Has any state in the country gone this far in their legislation?
- This bill no longer even has the three strikes provision.
- Completely supports the idea that treatment is very important.
- Committing a juvenile should be the last resort and in the majority of cases it is not appropriate to commit a juvenile for a property only offense.
- Just because it is usually not appropriate though that does not mean it never appropriate.
- Currently, the courts are not allowed to commit a juvenile unless the court finds it is the only proper disposition.
- Under this bill a juvenile can commit perjury resulting in someone being unjustly incarcerated, and the juvenile could not receive a committed sentence for that.
- Removing the possibility of commitment, reduces the incentive for minors to become invested in other dispositional options.
- There are some minors who think they do not need treatment, and the judge can use the threat of commitment to encourage them to complete treatment.
- Knows one of the big purposes of this is to reduce the population of the SYSC.
- Thinks that is the right thing to do and that is a very good thing, but this bill is not going to accomplish that goal.
- The SYSC population has been reduced already way, way down.
- At his last check there were 14 people at the SYSC, seven on pre-trial and seven committed.
- Would be amazed to hear if any of those committed are only there for a property offense.
- If the Committee is not interested in killing the bill, has provided an amendment as an alternative.
- The bill adds subsection (m) to RSA 169:19 to recognize how far this bill went, limiting this to situations where the minor poses risks to cause serious bodily injury.
- The amendment adds in other serious risks like threat to property interests or if the crime is so serious it requires commitment the judge as a last resort impose a commitment.
- If juveniles have a get out of jail free card, will that encourage adult property offenders to use juveniles to commit crimes because they will face less consequences?
- Senator French asked if he prefer an ITL, but the fallback position is the amendment.
  - Correct.

**Neutral Information Presented:**

**County Attorney Paul Halvorsen (Merrimack County Attorney)**

- Firmly supports revamping the juvenile justice system.
- Supports the bill in part but opposes the bill as written.

- There are a lot of internal inconsistencies in this bill.
- Reads paragraph (B) to mean that any felony can be a detention and subsumes all the prior changes to the RSA.
- It further seems to indicate that detention can be ordered for any misdemeanor case unless it is one of the enumerated ones in the bill.
- The universal charge table used by the courts has about 3,600 potential offenses, and a little over 1,000 of those are misdemeanors and a little over 800 are felonies; many of those are not contained in the criminal statutes.
- The enumerated offenses in paragraph (B) make it seem that even a felony theft could not result in detention.
- The bill also talks about drug possession without an intent to sell, but there is no possession of a controlled drug without intent to sell; it is either straight possession or possession with intent to sell.
- Possession of any controlled substance besides marijuana is a felony.
- Arson, criminal mischief, breaches of the peace and other listed offenses have felony and misdemeanor variants.
- Items not included in the bill are cruelty to animals when the animal is not killed or bestiality.
- Could order detention for issuing a bad check.
- Could not order detention for a false report to law enforcement but could under it under a false report to 911.
- Could not order detention for misdemeanor arson but could for a minor who kindles a wildfire.
- The dispositional hearings in the final section are a catch all override for judges.
- That section states “A court’s finding pursuant to this subparagraph is only sufficient to support secure confinement if it is made by clear and convincing evidence following either a stipulation by the parties or an evidentiary hearing at which the rules of evidence have applied.”
- If you apply the rules of evidence and look at the applicability statute, it exempts Family Division, which has jurisdiction over juvenile proceedings.
- Assuming the rules of evidence apply, under Rule 1101 the applicability of the rules of evidence are exempt during issues of sentencing or placing an individual on probation, which in the juvenile code it is actually disposition and conditional release.
- Understands the goal in revamping the system, thinks this bill winds up being a very difficult statute to execute.
- Would suggest amending HB1346 to include an analysis of the Family Court System relating to juvenile issues.

**Honorable Dan Itse**

- Spoke to the initial motivation to for the creation of the SYSC.
- Before the SYSC there was a facility that was very old with a consistent population size.
- The State received a federal grant to revitalize the juvenile detention facility.

**Rebecca Ross (Department of Health and Human Services)**

- Senator Whitley asked how this bill connects with the System of Care.
  - Children’s Behavioral Health and the Division of Children, Youth, and Families worked very closely together with all of the implementation and system changes with juvenile justice transformation. This bill is a solution without a problem. This bill is looking to decrease the census at SYSC, but this has already occurred. There are substantial concerns about the way this is drafted causing confusion. Is this really getting at what it is trying to solve, because it is taking out things like domestic violence, simple assault, and trafficking. The reality of the system is that if a prosecutor and a defense attorney know that a youth can get the treatment that they need at the place they need to be, it is much easier to plead to a simple assault, when it is really a domestic violence, sexual assault scenario. Anything that reduces the ability to get a youth into a safe and secure setting where they can get the assessments and treatment they need would be doing a disservice to those youth. We are talking about a 17-year-old who is trafficking their 12-year-old neighbor or a 17-year-old who is being used by counterparts in MA to traffic drugs through the State. Thinks we are creating situations where we are going to put barriers to serving those kids with the services they need. This is especially true given that the SYSC is averaging 12 individuals for the last couple years, indicating that the State has already overcome the issue having youth committed unnecessarily. The other unintended consequence of this is that it may be pushing some of these kids into the adult systems because the prosecutors have concerns about the safety of the community. Wants to see these children served in the juvenile system and safely transitioned back into the community.

jch  
Date Hearing Report completed: April 9, 2022

# Speakers



# Senate Remote Testify

Judiciary Committee Testify List for Bill HB254 on 2022-04-07

Support: 2 Oppose: 0

<u>Name</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>
Rosenwald, Cindy	An Elected Official	SD 13	Support
Hennessey, Erin	An Elected Official	Myself	Support

# Testimony

## AMENDMENT TO HB254

Amend the bill by replacing section 5 with the following:

5. New Subparagraph; Delinquent Children; Dispositional Hearing. Amend RSA 169-B:19, I by inserting after subparagraph (l) the following new paragraph:

(m). Notwithstanding the provisions of RSA 169-B:19, I(j), a court may commit the minor to the custody of the department of health and human services for the remainder of his or her minority if:

(1) the minor is found delinquent

(a) for an offense which would be a felony if committed by an adult, or

(b) for an offense which would be a class A misdemeanor if committed by an adult and the minor has previously been adjudicated delinquent under this chapter for at least 3 offenses which would be felonies or class A misdemeanors if committed by an adult; and

(2) the court finds that there is no placement or set of supervision and treatment services other than secure confinement

(a) that will protect the public from a substantial risk of serious bodily injury, or

(b) that will protect the public from a substantial risk of significant loss, damage, or destruction of property, or

(c) that, given the seriousness of the minor's criminal conduct, constitutes an appropriate disposition under all the circumstances.

A court's finding pursuant to this subparagraph is sufficient to support secure confinement only if it is made by clear and convincing proof supported by reliable evidence following either a stipulation by the parties or an evidentiary hearing. Further, the court shall make written case-specific findings which identify the facts and circumstances relied upon and the basis for the determination that secure confinement is necessary. Commitment under this subparagraph may only be made if the minor has not waived his right to counsel at any stage of the proceedings. If there is a diagnosis or other evidence that a minor committed under this subparagraph may have a serious emotional disturbance or other behavioral health disorder, the minor shall, with the consent of the minor and the minor's family, be referred to a care management entity pursuant to RSA 135-F:4, III. The care management entity shall develop and oversee the implementation of a care plan for the minor, which is intended to reduce, if possible, the period of commitment. Commitment may include, but is not limited to, placement by the department of health and human services at a facility certified for the commitment of minors pursuant to 169-B:19, VI, administrative release to parole pursuant to RSA 621:19, or administrative release consistent with the cap on youth development center population under RSA 621:10, provided that the appropriate juvenile probation and parole officer is notified.



## MEMORANDUM

TO: Senator Sharon Carson, Chair, and Members of the Senate Judiciary Committee

FROM: Rep. Bob Lynn

DATE: April 7, 2022

RE: TESTIMONY IN OPPOSITION TO HB 254; AND PROPOSING AN AMENDMENT THERETO

I have prepared this memorandum to summarize my concerns regarding HB254, which passed in the House on January 6, and is now before the Senate Judiciary Committee.

The intent behind HB 254, as I understand it, is to reduce the population of the Sununu Youth Services Center (SYSC), with the hope that this will facilitate closing SYSC and transitioning its residents to a new secure facility. I should note at the outset that I am fully supportive of closing SYSC and establishing an alternative secure facility for juveniles. But in my view not only will this bill not help to achieve this objective, it would represent decidedly bad public policy.

In 2017, the legislature amended the juvenile delinquency law, specifically RSA 169-B:19(j) so as to provide that certain misdemeanor level crimes for offenses such as theft, arson and criminal mischief, burglary, perjury and false swearing, and riot and disorderly conduct could not serve as a basis for a court to order a juvenile to receive a committed sentence to SYSC. However, the 2017 law left in place the so-called "3-strikes" exception that allowed (but did not require) a juvenile to receive a committed sentence for any felony or misdemeanor offense if the juvenile had previously been adjudicated delinquent on three separate occasions for three separate felony or misdemeanor offenses.

HB254 greatly expands the listing of offenses for which a juvenile can never receive a committed sentence to SYSC or any successor secure facility that may take its place. It does this by listing certain specific violent felonies which are the only offenses for which a juvenile can ever be committed. Particularly troubling is that, under HB254, property crimes that do not involve violence or the threat of violence could never serve as a basis for a committed sentence no matter how significant the value of the property stolen, damaged, or destroyed, or how egregious the circumstances of the particular case. Even more troubling, HB254 eliminates the 3-strikes provision so that commitment is not allowed for any non-listed violent crime even if the juvenile has previously been adjudicated delinquent on three or more prior occasions. To give just one concrete example, under this bill, if a juvenile breaks into your home over the weekend while you are away and steals or destroys thousands of dollars of your property, the juvenile could not under any circumstances receive a committed sentence – even if the juvenile had been found delinquent for doing the exact same thing three or more times before!

Given what has been going on around the country with organized theft and shoplifting gangs and "smash and grab" thefts, many committed by juvenile offenders, HB254, if enacted, would send the message to the public that property rights and property crimes are unimportant

in New Hampshire and that juveniles can commit such offenses without worry of ever having to spend even a day in commitment for doing so. I should note here that, just last week, I heard a news story indicating that the National Chamber of Commerce has advised that it regards criminal thefts to be at a crisis level in this country, and was urging lawmakers to take definitive action to counter this situation. This proposed bill will do just the opposite. I also hope you will ask the proponents of this bill whether any other state has gone so far as to flatly prohibit juvenile commitment for any non-violent property crime under any circumstances. I have not researched this issue, but I would be very surprised if any state has adopted such legislation.

Although the elimination of property crimes is the biggest problem with HB254, it is not the only one. The bill also removes the possibility of commitment for many other crimes that, although non-violent, are nonetheless very serious. To cite just one other example, if HB254 becomes law, a juvenile could never be committed for the crime of perjury even if the juvenile's false testimony in court resulted in another person being wrongly acquitted or (even worse) ~~wrongly convicted and jailed for a crime the person did not commit.~~

I should note that HB254 does propose to add a new subsection (m) to RSA 169-B:19, which would allow for commitment for any felony, but this provision would only apply if the court found that commitment was the only way to "protect the public from a substantial risk of serious bodily injury." So, again this provision would not allow for commitment of a minor who posed no threat of violence, no matter how serious the crime might be.

I must note here that I am not someone who has a "lock 'em up and throw away the key attitude toward criminals in general or juveniles in particular. Quite the contrary, I firmly believe in treatment and rehabilitation, and believe that commitment of a juvenile should occur only as a last resort. And I would be the first to agree that commitment for a property crime probably should occur rarely for juvenile offenders. But rarely does not mean never, and the problem with this bill is that it would preclude judges from imposing commitment even in the rare case where it clearly is warranted. Indeed, under RSA 169-B as it now exists, judges are allowed to impose a committed sentence only as a last resort when they find that no lesser sentence is appropriate and judges must set forth their specific findings in support of such rulings. Given this requirement of existing law, I believe that in a very real sense HB254 represents little more than the classic "solution in search of a problem."

Another problem with HB254 is that, by eliminating the possibility of a committed sentence for all non-violent offenses, the bill reduces the incentive for juveniles to comply with the terms of lesser sentences. There are many juveniles who do not believe they need, and are resistant to, probation, counseling, drug treatment, anger management and other kinds of lesser sentences, and without the "stick" of the possibility of receiving a committed sentence if they do not comply with such alternative sentences, their incentive to successfully complete such programs will be greatly reduced.

Lastly, because commitment should and does occur rarely for non-violent offenses committed by juveniles, HB254 will have little if any practical effect in reducing the population of SYSC or a successor facility. As you may know, over the last few years the population of SYSC has been reduced significantly – to the point that the last time I checked (in mid January of this year) there were only 14 residents. Although I don't know this for a fact, I would be amazed if any of the current residents has been committed only for a non-violent offense.

For all the reasons stated above, I believe HB254 is ill-advised and I hope the Senate will ITL it.

However, as a fallback position should the Senate decide not to ITL this bill, I have prepared a proposed amendment that I have passed out to the Committee and which I ask that it consider. As you will see, this proposal would amend section 5 of the bill, the section of the current bill that adds subparagraph (m) to RSA 169-B:19, I. It replaces that subparagraph with a redrafted subparagraph (m) that spells out exceptions to subparagraph (j) of RSA 169-B:19, I under which a court could impose commitment as a disposition. Specifically, it allows for commitment for (1) a felony or (2) for a class A misdemeanor if the juvenile has previously been adjudicated delinquent for a felony or a misdemeanor on three or more prior occasions; and if the court finds by reliable clear and convincing evidence that commitment is the only option that is available to accomplish one of three things: (1) to protect the public from a substantial risk of serious bodily injury; or (2) to protect the public from a substantial risk of significant loss, damage, or destruction of property; or (3) to constitute an appropriate disposition under all the circumstances given the seriousness of the minor's criminal conduct. I emphasize again that adopting this proposed amendment to the bill is not my preferred option because the language of the amendment effectively abrogates the mandatory no-commitment language contained in section 4 of the current bill by giving the court discretion to impose commitment in circumstances that are quite similar to those under which commitment may be imposed under existing law.

Thank you for considering my testimony.

**To my colleagues in the Senate Judiciary Committee,**

HB254 addresses the best practice for children in the juvenile justice system. This policy was unanimously supported by the House. Finance made two changes to the bill, before Finance also unanimously supported HB254. The policy changes are supported by the Children and Family Law Committee.

The two changes in the amendment are straight forward. The first change updates the effective dates of the bill. The second change updates the judicial discretion portion of the bill.

H8254 was retained in Finance. As a result, the date changes were needed to give DEYF sufficient time to prepare for changes made by HB254.

The judicial discretion portion of the bill gives judges discretion to commit a child to SYSC when the judge believes circumstances require this type of intervention. Currently, a child must commit three separate crimes if they do not meet conditions for commitment. We believe the amended judicial discretion is more robust and provides for the best interest of the child and the public safety.

The underlying bill is unchanged from the policy endorsed by Children and Family Law and unanimously supported by this House.

It is important to remember that children in the juvenile justice system are released from SYSC and the system at 18 years of age. The goal of the juvenile justice system is to prepare the child to be a productive adult member of the New Hampshire community.

In 2017, the last time this Legislature changed SYSC commitment standards, the SYSC census was nearly 70 children on average. Two thirds of these kids were re-committed to SYSC after release. That is just over 6 of every 10 children committed, are released and then re-committed. Of the nearly 70 children in 2017, 46 of these children were re-committed.

In 2017, the changes eliminated most misdemeanors from commitment. Many people objected to the changes. Some people were afraid of these children, and others were concerned there was a lack of available treatment. I was one of the people objecting. I did

not believe that New Hampshire was prepared for the change and wanted a smaller change. But I was wrong!

After passage of the bill, the census dropped quickly. The census dropped from nearly 70 children in 2017, to about 12 children today. As importantly, there has been no widespread lack of service for these children. In fact, our service delivery system has expanded significantly, in part to deal with the children no longer at SYSC; as my friend from Concord outlined previously.

Of the 12 children at SYSC today, half or more are incarcerated at SYSC for misdemeanor offenses (based on DCYF data). Adults generally are not incarcerated for misdemeanor offenses. So why are we locking up our children?

~~In fact, there are more beneficial services available for children, rather than incarceration.~~ However, this bill will continue to incarcerate children who commit serious violent offenses. It also gives judges discretion, as mentioned previously, to incarcerate the child for other offenses when that is the only option to assure safety.

The remaining children will be treated in the existing Children's System of Care (SOC). DCYF indicates that 75% of all children incarcerated at SYSC have a behavioral health issue. The SOC is created to address children's behavioral health needs. The SOC is the least expensive, most effective way to treat our children. Our juvenile justice system has two goals:

- 1) Protect the public and
- 2) Prepare children to be productive adults.

HB254 accomplishes these goals by incarcerating serious violent offenders and providing effective residential treatment for other children. Please reaffirm the unanimous House vote; the unanimous Finance Committee vote; the 18-1 vote of the Children and Family Law Committee HB254 is the best way to treat our children and deserves our support.

Respectfully,

Representative Kimberly Rice  
Speaker Pro Tempore  
Chair of the House Children and Family Law Committee

# Voting Sheets

*sent*

# Senate Judiciary Committee

## EXECUTIVE SESSION RECORD

2021-2022 Session

Bill # *254*

Hearing date: \_\_\_\_\_

Executive Session date: \_\_\_\_\_

Motion of: *1827* Vote: \_\_\_\_\_

Committee Member	Made by	Second	Yes	No
Sen. Carson, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, V-Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. French	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: *committee amendment* Vote: *5-0*

Committee Member	Made by	Second	Yes	No
Sen. Carson, Chair	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, V-Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. French	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: *OTPA* Vote: *5-0*

Committee Member	Made by	Second	Yes	No
Sen. Carson, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, V-Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. French	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Consent French-Whitley 5-0*

Reported out by: *Carson*

Notes: \_\_\_\_\_

*plead down children w/ disabilities  
bill eliminated the 3strike rule  
retains 3 strikes (4 strikes)  
commitment for a single simple assault  
protections remain long about  
balance*

*allowing children if they  
need to go think it  
is appropriate  
senate position  
dont want to put kids on  
a first offense*

**Senate Judiciary Committee**  
**EXECUTIVE SESSION RECORD**  
*2021-2022 Session*

Bill # 254

Hearing date: \_\_\_\_\_

Executive Session date: \_\_\_\_\_

Motion of: IS Vote: \_\_\_\_\_

*Withdrawn*

Committee Member	Made by	Second	Yes	No
Sen. Carson, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, V-Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. French	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: \_\_\_\_\_ Vote: \_\_\_\_\_

Committee Member	Made by	Second	Yes	No
Sen. Carson, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, V-Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. French	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: \_\_\_\_\_ Vote: \_\_\_\_\_

Committee Member	Made by	Second	Yes	No
Sen. Carson, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, V-Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. French	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: \_\_\_\_\_

Notes: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



# Committee Report

STATE OF NEW HAMPSHIRE  
SENATE  
REPORT OF THE COMMITTEE  
FOR THE CONSENT CALENDAR

Wednesday, April 27, 2022

THE COMMITTEE ON Judiciary

to which was referred **HB 254**

AN ACT

relative to the placement of minors in secure settings.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5-0

AMENDMENT # 2022-1843s

Senator Sharon Carson  
For the Committee

This bill addresses the criteria for secure detention pending adjudication and the circumstances in which a minor may be committed to the Department of Health and Human Services for the remainder of his or her minority. The Committee amended the bill to tailor the language to be more appropriate for addressing children in these situations. It is vital that children are treated by the system in a way that helps them to lead productive and meaningful lives, and not cause them to unnecessarily suffer from irreparable harm to their detriment and that of society as a whole.

Jennifer Horgan 271-7875

FOR THE CONSENT CALENDAR

**JUDICIARY**

**HB 254**, relative to the placement of minors in secure settings.

Ought to Pass with Amendment, Vote 5-0.

Senator Sharon Carson for the committee.

This bill addresses the criteria for secure detention pending adjudication and the circumstances in which a minor may be committed to the Department of Health and Human Services for the remainder of his or her minority. The Committee amended the bill to tailor the language to be more appropriate for addressing children in these situations. It is vital that children are treated by the system in a way that helps them to lead productive and meaningful lives, and not cause them to unnecessarily suffer from irreparable harm to their detriment and that of society as a whole.

# HB254

## Bill Details

**Title:** relative to the placement of minors in secure settings.

**Sponsors:** (Prime) Rice (R), Long (D), Wallner (d), Marjorie Smith (D), Carson (R), Erin Hennessey (R), Rosenwald (D)

LSR Number: **21-0275**

General Status: **SENATE**

House:

**Committee:** Finance

**Due Out:** 4/1/2021

**Status:** NONCONCURRED

Senate:

**Committee:** Judiciary

**Floor Date:** 5/5/2022

**Status:** PASSED/ADOPTED WITH AMENDMENT

### Bill Docket

Body	Description
H	Introduced (in recess of) 01/06/2021 and referred to Children and Family Law <u>HJ 2</u> P. 41
H	Public Hearing: 01/28/2021 01:00 pm Members of the public may attend using the following link: To join the webinar: <a href="https://www.zoom.us/j/92889961863">https://www.zoom.us/j/92889961863</a> / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
H	Committee Report: Ought to Pass with Amendment # 2021-0140h (Vote 14-1: CC) <u>HC 12</u> P. 2
H	Amendment # 2021-0140h: AA VV 02/24/2021 <u>HJ 3</u> P. 3
H	Ought to Pass with Amendment 2021-0140h: MA VV 02/24/2021 <u>HJ 3</u> P. 3
H	Referred to Finance 02/24/2021 <u>HJ 3</u> P. 3
H	Division III Work Session: 03/16/2021 09:30 am Members of the public may attend using the following link: To join the webinar: <a href="https://www.zoom.us/j/93701004543">https://www.zoom.us/j/93701004543</a>
H	Division III Work Session: 03/22/2021 09:30 am Members of the public may attend using the following link: To join the webinar: <a href="https://www.zoom.us/j/93701004543">https://www.zoom.us/j/93701004543</a>
H	Executive Session: 03/29/2021 09:00 am Members of the public may attend using the following link: To join the webinar: <a href="https://www.zoom.us/j/92166004660">https://www.zoom.us/j/92166004660</a>
H	Retained in Committee
H	Division III Work Session: 09/08/2021 01:00 pm LOB 210-211
H	--CANCELLED-- Division III Work Session: 09/29/2021 10:00 am LOB 210-211
H	Division III Work Session: 10/06/2021 10:00 am LOB 210-211
H	Executive Session: 10/26/2021 10:00 am LOB 210-211
H	Committee Report: Ought to Pass with Amendment # 2021-2162h 10/28/2021 (Vote 21-0: RC) <u>HC 48</u> P. 33
H	Amendment # 2021-2162h: AA VV 01/06/2022 <u>HJ 1</u>
H	Lay on Table (Rep. Baldasaro): MF RC 151-204 01/06/2022 <u>HJ 1</u> P. 41
H	Ought to Pass with Amendment 2021-2162h: MA RC 264-87 01/06/2022 <u>HJ 1</u> P. 41
S	Introduced 01/05/2022 and Referred to Judiciary; <u>SJ 2</u>
S	Hearing: 04/07/2022, Room 100, SH, 02:00 pm; <u>SC 14</u>
S	Committee Report: Ought to Pass with Amendment # 2022-1843s. 05/05/2022: Vote 5-0; CC; <u>SC 18</u>
S	Sen. Bradley Moved to Remove HB 254 from the Consent Calendar; 05/05/2022; <u>SJ 11</u>
S	Committee Amendment # 2022-1843s, AA, VV; 05/05/2022; <u>SJ 11</u>
S	Sen. Bradley Floor Amendment # 2022-1908s, AA, VV; 05/05/2022; <u>SJ 11</u>
S	Ought to Pass with Amendments 2022-1843s and 2022-1908s, MA, VV; OT3rdg; 05/05/2022; <u>SJ 11</u>
H	House Non-Concurs with Senate Amendment (Rep. Rice): MA VV 05/12/2012 <u>HJ 13</u>

# Other Referrals

## Senate Inventory Checklist for Archives

Bill Number: HB254

Senate Committee: Judiciary

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

### Bill Hearing Documents: {Legislative Aides}

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

Prepared testimony, presentations, & other submissions handed in at the public hearing

Hearing Report

Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

### Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

- amendment # 1743s       - amendment # 1827s

- amendment # 1843s       - amendment # \_\_\_\_\_

Executive Session Sheet

Committee Report

### Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

- amendment # 1908       - amendment # \_\_\_\_\_

- amendment # \_\_\_\_\_       - amendment # \_\_\_\_\_

### Post Floor Action: (if applicable) {Clerk's Office}

Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

Enrolled Bill Amendment(s)

Governor's Veto Message

### All available versions of the bill: {Clerk's Office}

as amended by the senate       as amended by the house

final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

  
Committee Aide

8/12/22  
Date

Senate Clerk's Office AK