HOUSE BILL 153

AN ACT relative to circumstances under which police officer disciplinary records shall be public documents.


COMMITTEE: Judiciary

AMENDED ANALYSIS

This bill makes certain records concerning law enforcement officers which have been subject to the right-to-know law.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.
HB 153 - AS AMENDED BY THE HOUSE

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Nineteen

AN ACT relative to circumstances under which police officer disciplinary records shall be public documents.

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

1 New Section; Certain Disciplinary Records Subject to Right-to-Know Law. Amend RSA 106-L by inserting after section 5 the following new section:

106-L:5-a Certain Records Subject to Right-to-Know Law.

I. In this section, "disciplinary records" mean complaints, charges or accusations of misconduct, replies to those complaints, charges, or accusations, and any other information or materials that have resulted in final disciplinary action.

II. (a) Upon completion of an investigation, any record which includes a finding that a law enforcement officer subject to this chapter discharged a firearm which led to death or serious injury shall be a public record under RSA 91-A.

(b) Any disciplinary record in which there has been a final adjudication of a matter involving a law enforcement officer subject to this chapter who was found guilty of sexual assault as defined in RSA 632-A, or in which there was a sustained finding of dishonesty by a law enforcement officer including perjury, false statements, filing false reports destruction, or falsifying or concealing evidence, shall be a public record under RSA 91-A.

III. Nothing in this section shall limit the ability of a public agency or public body, as defined in RSA 91-A:1-a, to withhold the names, addresses, dates of birth, and other personal information of victims or other private persons where disclosure of such information would constitute an invasion of privacy under RSA 91-A:5, IV.

2 Effective Date. This act shall take effect January 1, 2020.