

HB 138 - AS INTRODUCED

2017 SESSION

17-0093

09/06

HOUSE BILL **138**

AN ACT relative to persons held in civil contempt.

SPONSORS: Rep. Itse, Rock. 10; Rep. Hoell, Merr. 23; Sen. Daniels, Dist 11; Sen. Reagan, Dist 17

COMMITTEE: Judiciary

ANALYSIS

This bill declares that no person shall be incarcerated for civil contempt without there being a finding that the person has the liquid assets to satisfy the contempt penalty.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Seventeen

AN ACT relative to persons held in civil contempt.

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

1 1 New Section; Penalties for Civil Contempt Restricted. Amend RSA 491 by inserting after
2 section 22-c the following new section:

3 491:22-d Penalties; Civil Contempt. Notwithstanding any other provision of law, no court may
4 incarcerate any citizen of this state and the United States for civil contempt without there first
5 being a finding of fact that the person has the liquid assets to satisfy the contempt without
6 borrowing money or incurring financial penalties to access financial instruments. In addition, no
7 person shall be required to sell a principal residence or sole motor vehicle to satisfy a finding of civil
8 contempt.

9 2 Effective Date. This act shall take effect January 1, 2018.