

CHAPTER 170
HB 486 - FINAL VERSION

7Mar2019... 0361h

2019 SESSION

19-0507
04/01

HOUSE BILL **486**

AN ACT relative to department of corrections procedures concerning the requirement for restoration of the voting rights of felons.

SPONSORS: Rep. Klein, Hills. 11; Rep. Bouchard, Hills. 11; Rep. Kenney, Straf. 6; Rep. Espitia, Hills. 31; Rep. Amanda Bouldin, Hills. 12; Rep. Query, Hills. 16

COMMITTEE: Criminal Justice and Public Safety

AMENDED ANALYSIS

This bill requires the commissioner of the department of corrections to ensure that probation-parole officers receive instruction on the current state of the law regarding the rights of individuals who have attained final discharge of their sentence, defines "final discharge" for the purpose of restoration of voting rights, and authorizes the commissioner of the department of corrections to conduct an inquiry into the information disseminated by probation-parole officers to individuals who have attained final discharge of their sentence relating to rights retained and rights lost.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Nineteen

AN ACT relative to department of corrections procedures concerning the requirement for restoration of the voting rights of felons.

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

1 170:1 Probationers and Parolees; Qualification and Certification of Probation-Parole Officers.

2 Amend RSA 504-A:12-a to read as follows:

3 504-A:12-a Qualification and Certification of Probation-Parole Officers. Every probation-parole
4 officer shall meet the educational and training standards for employment as a probation-parole
5 officer as established by the police standards and training council under RSA 106-L:6, and shall be
6 certified by the council as being qualified to be a probation-parole officer. ***The educational***
7 ***standards for training as a probation-parole officer shall include instruction concerning***
8 ***the rights lost and rights retained pursuant to RSA 607-A by an individual convicted of a***
9 ***felony.***

10 170:2 Uniform Act on Status of Convicted Persons; Rights Lost. Amend RSA 607-A:2, I to read
11 as follows:

12 I.(a) A person sentenced for a felony, from the time of his or her sentence until his or her
13 final discharge, may not:

14 [~~(a)~~] (1) Vote in an election, but if execution of sentence is suspended with or without the
15 defendant being placed on probation or he or she is paroled after commitment to imprisonment, ***the***
16 ***correctional facility shall provide the offender written notice that*** he or she may vote during
17 the period of the suspension or parole; or

18 [~~(b)~~] (2) Seek the nomination of a political party or become a candidate for or hold public
19 office.

20 (b) ***In this paragraph, "final discharge" means the release of a prisoner from***
21 ***incarceration. A person who is on probation or parole shall be considered to be finally***
22 ***discharged for the purpose of this section.***

23 170:3 Department of Corrections; Commissioner's Inquiry Regarding Information Disseminated
24 by Probation-Parole Officers. Upon the effective date of this section, the commissioner of the
25 department of corrections shall initiate an inquiry into the information and advice disseminated by
26 certified probation-parole officers employed by the department to an individual who has been
27 convicted of a felony who has attained final discharge of his or her sentence relating to the rights of
28 such individual pursuant to RSA 607-A. The commissioner shall ensure that all department
29 personnel, including probation-parole officers, are properly educated on the current status of state

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1 and federal law governing the rights retained and the rights lost by an individual convicted of a
2 felony who has attained final discharge of his or her sentence. The commissioner may seek the
3 advice and assistance of other department personnel as the commissioner deems necessary.

170:4 Effective Date. This act shall take effect 60 days after its passage.

Approved: July 10, 2019

Effective Date: September 08, 2019