

SB 145-FN - AS AMENDED BY THE SENATE

03/06/2025 0397s

2025 SESSION

25-1120

11/09

SENATE BILL **145-FN**

AN ACT establishing an evidence shipping pilot program and providing an appropriation therefor.

SPONSORS: Sen. Altschiller, Dist 24

COMMITTEE: Judiciary

AMENDED ANALYSIS

This bill enables the department of safety to develop an evidence shipping pilot program and provides an appropriation therefor.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT establishing an evidence shipping pilot program and providing an appropriation therefor.

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

1 1 Findings and Purpose. The general court finds:

2 I. The state of New Hampshire has effectively worked to reduce the backlog of sexual
3 assault evidence collection kits by ensuring that evidence is analyzed in a timely manner. The state
4 has implemented a kit tracking system that allows the department of justice and the state forensic
5 laboratory to monitor the location and chain of custody as that evidence moves through the system
6 for analysis.

7 II. One in 4 women and one in 20 men experience sexual violence in New Hampshire, with
8 nearly half of all reported sexual assaults occurring before the victim is 18. On average, 25 kits are
9 collected in New Hampshire each month, which equates to 300 kits annually. It can take years
10 before a sexual assault case is resolved through the criminal justice system.

11 III. Recognizing the critical work that has been done, the state can expand its efforts to
12 further reduce the time it takes for sexual assault evidence to move from a law enforcement agency
13 to the state forensic laboratory by establishing a mobile forensic evidence collection pilot program.

14 2 New Subdivision; Evidence Shipping Pilot Program. Amend RSA 21-P by inserting after
15 section 70 the following new subdivision:

Evidence Shipping Pilot Program

17 21-P:71 Evidence Shipping Pilot Program.

18 I. The department of safety may develop an evidence shipping pilot program to alleviate long
19 waiting periods for evidence to be safely delivered to the state forensic laboratory, where it can be
20 properly stored pending analysis. A special emphasis shall be placed on supporting law enforcement
21 in rural communities where resources are limited.

22 II. In this pilot program, all evidence collected by medical personnel in a sexual assault case
23 occurring in the state of New Hampshire shall be transferred to the state forensic laboratory within
24 7 business days of collection. If a law enforcement agency cannot deliver the evidence in person to
25 the state forensic laboratory, which shall be the preferred method of delivery, the agency may use a
26 common carrier that provides readily accessible package tracking to send the evidence to the state
27 forensic laboratory for delivery within 7 business days of collection. Law enforcement must have a
28 good faith basis to believe that the common carrier will accomplish delivery in 7 days prior to
29 choosing the common carrier. When utilizing delivery by a common carrier, law enforcement shall
30 deliver the packaged evidence in-hand to an agent of the carrier, and not by drop box or other drop

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1 off, and keep track of the package's routing and delivery by tracking number assigned by the carrier.
2 Costs for use of the common carrier may be eligible for reimbursement through the pilot program if
3 law enforcement can demonstrate that all good faith efforts were made in an effort to deliver the
4 packaged evidence within the 7 day delivery requirement of this section.

5 III. The department of safety shall adopt rules under RSA 541-A for the design,
6 administration, and reporting requirements of the program.

7 3 Appropriation. The department of safety shall determine the amount needed to fund the pilot
8 program, and that amount is hereby appropriated to the department of safety for the biennium
9 ending June 30, 2027, for the purpose of funding the pilot program established in section 2. The
10 governor is authorized to draw a warrant for any general fund sum out of any money in the treasury
11 not otherwise appropriated.

12 4 Effective Date. This act shall take effect July 1, 2025.

SB 145-FN- FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2025-0397s)

AN ACT establishing an evidence shipping pilot program and providing an appropriation therefor.

FISCAL IMPACT:

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
Expenditures*	\$0	Up to \$25,000 for the Biennium		\$0
<i>Funding Source(s)</i>	General Fund			
Appropriations*	\$0	Open Warrant		\$0
<i>Funding Source(s)</i>	General Fund			

***Expenditure = Cost of bill**

***Appropriation = Authorized funding to cover cost of bill**

METHODOLOGY:

This bill establishes a pilot program for law enforcement agencies who cannot deliver sexual assault kits to the laboratory in person within seven (7) days of collection to ship them to the state forensic laboratory, via a trackable method with a common carrier. The Department states the fiscal impact is indeterminable due to many unknown factors, however, states the anticipated the expense would not exceed \$25,000 for the period ending June 30, 2027. It should be noted this bill includes an "open appropriation", meaning the Department is authorized to draw from the general fund any amount needed for funding the program.

AGENCIES CONTACTED:

Department of Safety