

Floor Amendment to HB 266

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT relative to structural changes to the department of energy and relative to the effect of  
4 murder on a decedent's estate.

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6 Amend the bill by replacing all after section 4 with the following:

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8 5 New Paragraph; Effect of Murder on Intestate Succession, Wills, Joint Assets, Life Insurance,  
9 and Beneficiary Designations; Definition Added. Amend RSA 562-A:1 by inserting after paragraph I  
10 the following new paragraph:

11 I-a. "Final criminal conviction" means a judgment of conviction that has become final upon  
12 conclusion of direct appellate review by the New Hampshire supreme court or expiration of the time  
13 to seek such review.

14 6 Effect of Murder on Intestate Succession, Wills, Joint Assets, Life Insurance, and Beneficiary  
15 Designations; Murder; How Determined. Amend RSA 562-A:5, I and II to read as follows:

16 I. [~~After all right to appeal has been exhausted~~] ***Upon entry of a final criminal***  
17 ***conviction***, a judgment of conviction establishing criminal responsibility for commission of the  
18 murder of the decedent conclusively establishes the convicted individual as the decedent's killer for  
19 purposes of this chapter.

20 II. [~~In the absence of~~] ***As an alternative to a final*** criminal conviction, an individual's  
21 status as the person responsible for commission of the murder of the decedent as defined in this  
22 chapter is conclusively established by a final civil judgment to that effect entered against the  
23 individual by a court of competent jurisdiction.

24 7 Repeal. RSA 12-P:2, III, relative to certain duties of the department of energy, is repealed.

25 8 Effective Date.

26 I. Sections 5 and 6 of this act shall take effect upon its passage.

27 II. The remainder of this act shall take effect 60 days after its passage.

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AMENDED ANALYSIS

This bill:

I. Ensures the department's full party status in proceedings before the public utilities commission.

II. Requires the department to support the public utilities commission, site evaluation committee, office of the consumer advocate, and any related entities.

III. Allow the department to demand documents and specific answers from public utilities or related entities.

IV. Makes the final criminal conviction for murder, which is defined, the threshold for conclusive establishment of criminal responsibility for the commission of a murder, with respect to the murder's effect on the decedent's estate.