

# Senate Executive Departments and Administration Committee

*Ben Mickens 271-1403*

**HB 1805-FN**, relative to physical fitness performance requirements for certified law enforcement officers.

**Hearing Date:** March 25, 2026

**Time Opened:** 9:30 a.m.

**Time Closed:** 10:35 a.m.

**Members of the Committee Present:** Senators Gannon, Pearl, McGough and Altschiller

**Members of the Committee Absent :** Senator Reardon

**Bill Analysis:** This bill makes modifications to the physical fitness requirements for law enforcement officers and requires law enforcement agencies to adopt an officer wellness program to support law enforcement officers' wellness.

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**Sponsors:**

Rep. Colby  
Rep. Trottier

Rep. Damon  
Rep. Bricchi

Rep. Darby

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**Who supports the bill:** Representative Eleana Colby, Representative Hope Damon, Representative Margaret Drye, John Scippa (NH PSTC), and Chief Ken Miller (Bow PD).

**Who opposes the bill:** Chief Tim Crowley (Atkinson PD), Cory Stone, Nathaniel Blair, and Daniel Richardson.

**Who is neutral on the bill:** No one.

**Summary of testimony presented in support:**

**Representative Eleana Marie Colby**

- Representative Colby explained that the bill is trying to help address the loss of police workforce in the state and is intended as a compromise between current statute and an attempted full repeal in 2022.
- Representative Colby described how officer shortages creates pressures on the system which results in more overtime, overworked police officers, and more incentives to exit the system. Officers being stretched thin also leads them to be overworked leading up to a physical fitness test.

- Representative Colby stated that the Police Standards and Training Council has considered moving away from the current standards for some time now.
- Representative Colby detailed that there is a significant number of officers who have retired over the last few years with not enough new officers joining to replace them.
- Representative Colby stated that HB 1805-FN allows local departments to adapt and attract more officers.

#### **Representative Margaret Drye**

- Representative Drye explained that this bill is crucial to help address police shortages and detailed how it can help draw candidates from other states.
- In particular, there was an issue when an out-of-state candidate to be Chief in Plainfield narrowly missed their one and a half mile run time.
- Representative Drye stated that the current requirements do not necessarily reflect what is needed in police work.
- Representative Drye underlined that the bill does not remove standards but allows departments to tailor their fitness standards.

**Senator Gannon** asked what the time was for the mile and a half.

**Representative Drye** stated it depends on age and gender.

**Senator McGough** asked if there was an exemption for out of state officers, that this would have solved the specific problem in Plainfield.

**Representative Drye** stated she believed it would have.

#### **Representative Hope Damon**

- Representative Damon underlined that the public safety needs of small, rural towns are not the same as other places in the state.
- Representative Damon added that there is also a need to address more accurately the effect of aging on the police force and not causing artificial losses in police departments.

#### **John Scippa, Director of the Police Standards and Training Council**

- Director Scippa stated that the council's position is reflected in the bill as amended.
- Director Scippa described current statute as all or nothing with regards to the fitness performance requirements, as it is required for licensure.
- Director Scippa recounted that the council has heard many times from small communities who are at risk of losing a capable officer because of something as simple as a sit-up requirement being missed by one.
- Director Scippa stated that the council also wants to encourage every agency to have a wellness program and that this system would promote a more long term health focus for police officers.

**Senator Gannon** asked what a 53 or 54-year-old police officer would need to run to do the job.

**Director Scippa** was unsure but was informed it was 19:43. This was later clarified to be for the female group, the male group's number being 14:33.

**Senator Gannon** stated he had some concerns about risking officers lives if we put them in dangerous situations without maintaining physical standards.

**Senator McGough** asked if other states have relaxed requirements and if there is any long-term data on the impact of changes like this.

**Director Scippa** stated that for a situation like firefighters, they have to take their exam once in their career. The fire chief also has more flexibility in how to deploy their firefighters. The police force does not have that same flexibility. New Hampshire is the only state that operates with this system, every other state has legislation similar to the proposed legislation. The msin concern the council has is that local departments have flexibility to address the health of their officers.

**Senator Pearl** asked about the bill only applying to those hired after a certain time.

**Director Scippa** stated that the Council wanted to avoid retroactively applying this standard.

**Senator Pearl** asked if there are still officers who will have to follow the old standard if they were hired before the date given in the legislation.

**Director Scippa** stated that the current language eliminates the three-year mandatory fitness testing and require any officer certified after January 1st 2027 comply with the new standards.

**Senator Pearl** clarified that no current officers will have any type of physical requirements.

**Director Scippa** stated that if the proposal went through as is there would be no mandatory fitness testing for any officer in the state.

**Senator Pearl** asked if a twenty-year old new hire would have no requirements throughout their entire career.

**Director Scippa** said that there requirements would be set by their department. When testing was first mandated there was not a retroactive application, which is why this language reflects that.

**Senator Pearl** asked if it was okay to have multiple sets of standards for different officers.

**Director Scippa** said the bill reflected the councils position.

**Senator Pearl** reiterated his concern that this bill would create a harder standard for current employees than for new hires.

**Director Scippa** clarified that the date applies to going to the doctor for an assessment.

**Senator Altschiller** asked if it was possible that the intention is to bring in physical requirements through the collective bargaining process.

**Director Scippa** stated that collective bargaining units view fitness as a way to build incentives for police officers. This bill allows more flexibility for officers when working with their municipalities. Director Scippa gave the example that when he worked in Stratham he tried to create health incentives for his officers.

**Senator McGough** asked how many law enforcement agencies are in New Hampshire.

**Director Scippa** stated it was 220, although it's a moving target week to week.

**Senator McGough** asked if there could be 200 different fitness tests across the state.

**Director Scippa** stated this was possible. It would be worked out between the specific department and officers.

**Senator McGough** asked if an officer couldn't meet the standards in one town that they could go to another town where the standards are different and be hired.

**Director Scippa** stated this was possible.

**Senator Gannon** reiterated his concern about the safety of officers if they can't meet the standards already set by the state.

**Director Scippa** offered that, under present conditions, there could be officers who are working up to five years without having passed the test again. The council is aiming to build an environment to allow local departments to build better systems encouraging officer health and wellness. The current system does not support this.

**Senator Gannon** asked if a yearly test would be better.

**Director Scippa** stated that a more regular test might be better than the current standard.

**Senator Gannon** reiterated his concern about not having a minimum standard.

**Senator Pearl** asked if there was anything in law preventing local departments from having these incentives in place to keep officers in shape.

**Director Scippa** stated there was not and that some departments have them.

**Chief Ken Miller, Bow Police Department**

- Chief Miller explained that the bill helps modernize health standards and does not lower the standards.
- Chief Miller further stated that the legislation both better addresses the realities of the job and promotes testing of functionality.
- Chief Miller expressed that a more holistic approach would better address concerns around officer preparedness.
- Chief Miller expressed concerns that the current test unfairly penalizes officers who have physical limitations but retain decades of investigative and leadership experience.

**Senator Gannon** asked why we couldn't have both the regular testing with the program suggested.

**Chief Miller** responded that the three-year PT test is not needed. The legislation would allow local departments to have teeth to set the continual health standards. The test is an additional stressor that does not necessarily help officers stay fit. New Hampshire is the only state with this standard.

**Senator McGough** asked for clarity on the lack of a need for a statewide test and the efficacy of incentives. Additionally, what would the test in Bow be if they could set it?

**Chief Miller** clarified that the current law is that the test is tied to certification. The bill would allow departments to still require officers to meet set standards, but it is not immediately tied to certification. The test set in Bow might include a five-hundred-meter row and push-ups. Sit-ups are antiquated as a workout for police officers and do not reflect the needs of the job.

**Senator McGough** clarified that the department could set their own standard still.

**Chief Miller** stated they could, however the three-year test tied to certification regularly disincentives new recruits.

**Summary of testimony presented in opposition:**

**Chief Timothy Crowley, Atkinson Police Department**

- Chief Crowley stated that while New Hampshire is the only state that requires this test, that is positive not a negative.
- Chief Crowley said that when he speaks to police chiefs from other states, he regularly hears that they wish they had a similar physical fitness standard.

- Chief Crowley illustrated that the passing rate on the test is very high. Officers who fail are in the single digits.
- Chief Crowley stated that the standard, as it is, is set at the 35<sup>th</sup> percentile based on age and gender.
- Chief Crowley said the test does need to be updated, including getting rid-up of sit-ups.
- Chief Crowley explained that when Massachusetts eliminated their standards, they saw a decrease in performance.
- Chief Crowley expressed concern at the requirements for medical professionals to assess fitness for police officer duty, chiefly because they do not necessarily know the exact requirements of the job.
- Chief Crowley suggested there be more work done on the topic before moving forward with legislative changes.

**Neutral Information Presented:** None.

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Date Hearing Report completed: March 27, 2026