

Senate Judiciary Committee

Brendan Bunnell 271-4063

HB 1173, relative to post-secondary education opportunities for inmates.

Hearing Date: April 9, 2026

Time Opened: 1:37 p.m.

Time Closed: 1:41 p.m.

Members of the Committee Present: Senators Gannon, Abbas, Altschiller and Reardon

Members of the Committee Absent: Senator Carson

Bill Analysis: This bill allows the commissioner of corrections to release any person who has been committed to the state prison at any time during their term of sentence to participate in post-secondary education in the community for which they have been accepted for enrollment.

Sponsors:

Rep. Scherr

Rep. Meuse

Who supports the bill: 44 Individuals signed in support of the bill. For a complete list of those who signed in support please contact the Judiciary Committee Aide.

Who opposes the bill: None.

Who is neutral on the bill: None.

Summary of the testimony presented:

Representative Buzz Scherr introduced the bill and stated that he represents Rockingham District 26, Portsmouth Ward 3, and also serves as chair of the Portsmouth Police Commission.

- He explained that the bill is narrowly focused and builds on existing statutory authority that allows the Commissioner of Corrections to release inmates for gainful employment.
- He stated that the bill simply extends that authority to allow the Department of Corrections to release inmates who have been admitted to a postsecondary education program so they may attend classes.

- He emphasized that there is no additional cost associated with the bill and that the same vetting process used for work release would apply, including verification of admission to the educational institution and evaluation of the inmate's eligibility.
- He stated that the bill had previously been introduced by Representative David Meuse and had passed the House on consent before being amended in the Senate with unrelated language, which prevented its passage in its original form.
- He stated that the bill is being reintroduced to address that issue and noted that the Department of Corrections has previously testified in support of the proposal. He concluded by stating that he was available for questions.
- Senator Abbas asked whether the bill's reference to postsecondary education in the community is limited to in-state institutions.
 - o Representative Scherr responded that the bill does not explicitly limit participation to in-state institutions. He stated that in prior discussions with the Department of Corrections, it was not anticipated that inmates would attend out-of-state programs, but acknowledged that the statute does not prohibit it.
 - o He explained that, similar to work release, out-of-state participation would be technically possible but unlikely in practice due to logistical constraints such as travel distance.

BMB

Date Hearing Report completed: April 13, 2026