

HB 1206 - AS INTRODUCED

2026 SESSION

26-2792

12/09

HOUSE BILL **1206**

AN ACT clarifying the equity jurisdiction of the judicial branch family division.

SPONSORS: Rep. Love, Rock. 13; Rep. Bernardy, Rock. 36; Rep. Post, Hills. 42

COMMITTEE: Children and Family Law

ANALYSIS

This bill clarifies the equity jurisdiction of the judicial branch family division (now the circuit court, family division).

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT clarifying the equity jurisdiction of the judicial branch family division.

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

1 1 Judicial Branch Family Division; Equity Jurisdiction. Amend RSA 490-D:3 to read as follows:
2 490-D:3 Equity Jurisdiction. [~~Notwithstanding any law to the contrary, the~~] **The** judicial
3 branch family division shall have the powers of a court of equity in cases where subject matter
4 jurisdiction lies with the judicial branch family division **and where no other special provision**
5 **has been made by law**. Suits in equity where subject matter jurisdiction lies with the judicial
6 branch family division including, but not limited to, petitions for divorce, nullity of marriage,
7 alimony, custody of children, support, and other similar proceedings may be heard upon oral
8 testimony or depositions, or both, or when both parties consent, or service having been made and a
9 notice of the time and place of the hearing having been given, when both parties appear. Such suits
10 may be heard by any justice of the judicial branch family division at any time, but nothing contained
11 in this section shall be construed as limiting the power of the judicial branch family division to have
12 issues of fact framed and tried by a jury, according to the rules in equity, or the course of such
13 proceedings at common law.

14 2 Effective Date. This act shall take effect January 1, 2027.