

HB 1595-FN - AS INTRODUCED

2026 SESSION

26-2940  
09/08

HOUSE BILL **1595-FN**

AN ACT establishing a domestic violence program and relative to orders of protection, stalking offenses, and annulment of criminal records.

SPONSORS: Rep. Korzen, Coos 7; Rep. Manos, Rock. 12; Rep. Simpson, Rock. 33; Rep. Kesselring, Hills. 18; Rep. Gregg, Hills. 7; Rep. Rice, Hills. 38; Rep. D. Mannion, Rock. 25; Rep. A. Davis, Coos 2; Sen. Altschiller, Dist 24; Sen. Carson, Dist 14; Sen. Reardon, Dist 15; Sen. Birdsell, Dist 19; Sen. Gannon, Dist 23

COMMITTEE: Criminal Justice and Public Safety

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ANALYSIS

This bill:

I. Expands judicial training requirements and establishes a new domestic violence program under the judicial branch.

II. Amend the definition of domestic violence and amends the process for evaluating and serving protective orders.

III. Establishes that law enforcement officers must complete a lethality assessment program (LAP) form when there is suspected domestic violence, and establishes a LAP program within the department of justice.

IV. Allows for domestic violence victims to complete an affidavit to address safety concerns when filing a parenting or divorce petition in the family court.

V. Amends the stalking statute to include restraining order for minors and new language to make installing electronic devices on a person or their personal property a stalking offense.

VI. Amends the annulment statute to expand the list of “violent crimes.” It also requires that victims of crime be notified should a defendant file a petition for annulment and provides an opportunity for the victim to give input to the judge before the annulment is granted.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT                    establishing a domestic violence program and relative to orders of protection, stalking offenses, and annulment of criminal records.

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

1            1 Short Title. This act may be known as and cited to as "Marisol's Law."

2            2 Judicial Training; Initial Judicial Training Requirements. Amend RSA 490-K:2 to read as  
3 follows:

4            490-K:2 Initial Judicial Training Requirements.

5            Any person who holds the position of judge in this state, and all nonjudicial employees of the  
6 judicial branch with a hire date on or after July 1, 2025, shall complete an orientation and training  
7 program within 3 months of hire, as directed by the chief justice of the supreme court. The  
8 minimum initial training for judges may ~~[be as follows]~~ **include but not be limited to:**

9            I. Orientation for new judges on procedures and functions of the applicable court and  
10 relevant procedural and substantive law, **and applicable court rules and protocols;**

11            II. Education for new judges on major legal subjects and practical skills needed by them and  
12 appropriate to the jurisdiction of the court in which they serve;

13            III. At least one hour of training devoted to the topics of legal and judicial ethics,  
14 professionalism, preventing implicit bias, mental health, and domestic violence.

15            3 Judicial Training; Judicial Continuing Education Requirements. Amend RSA 490-K:3 to read  
16 as follows:

17            490-K:3 Judicial Continuing Education Requirements.

18            **I.** Any person who holds the position of judge, court administrator, clerk, or director of the  
19 administrative office of the court in this state, shall be required to complete continuing education as  
20 the chief justice of the supreme court directs.

21            **II. All judges shall be required to complete a minimum of 8 hours of continuing  
22 education including, but not limited to, the following areas:**

23            **(a) Existing statewide court protocols for the administration of civil domestic  
24 violence cases;**

25            **(b) Domestic violence and stalking dynamics;**

26            **(c) Understanding components of lethality within domestic violence and  
27 stalking;**

28            **(d) Safety considerations and other forms of abuse in the context of domestic  
29 violence and stalking; and**

30            **(e) The impact of trauma on crime victims and their children.**



1 (h) Collect data in civil domestic violence cases related to the number of cases filed,  
2 types of relief granted, number of violations reported, firearm relinquishment, and defendant  
3 compliance with court orders; and

4 (i) Explore implementation of a pilot domestic violence court in Manchester, Nashua, or  
5 other jurisdiction that is deemed appropriate by the supreme court.

6 II. The chief justice and a majority of the supreme court, in consultation with the  
7 administrative judges of the superior and circuit courts, shall establish standards on the  
8 implementation of the domestic violence program.

9 490-L:3 Advisory Committee.

10 The supreme court shall convene an advisory committee to develop the domestic violence  
11 program standards and support the supreme court with program implementation. The committee  
12 may recommend, for adoption by the supreme court, policies and procedures that will carry out the  
13 purposes of this chapter. The advisory committee shall consist of judicial and nonjudicial branch  
14 officers. Nonjudicial branch members shall include, but are not limited to, law enforcement, defense  
15 attorneys, prosecutors, civil legal aid, and victim advocates.

16 490-L:4 Reporting.

17 The supreme court shall prepare a report on the implementation of the domestic violence  
18 program described in this section within one year of the effective date of this section. Subsequent  
19 reports shall be filed annually on June 30 of each year. The report shall include but is not limited to  
20 information collected relative to the elements listed in RSA 490-L:2, I. Such report shall be made  
21 available to the public.

22 5 Protection of Persons from Domestic Violence; Definitions. Amend the introductory paragraph  
23 of RSA 173-B:1, I to read as follows:

24 I. "Abuse" means the commission or attempted commission of one or more of the acts  
25 described in subparagraphs (a) through (h) by a family or household member or by a current or  
26 former sexual or intimate partner, where such conduct is determined to constitute a credible present  
27 threat to the petitioner's safety. ***In its analysis***, the court may consider evidence of such acts,  
28 regardless of their proximity in time to the filing of the petition, which, in combination with recent  
29 conduct, reflects an ongoing pattern of behavior which reasonably causes or has caused the  
30 petitioner to fear for his or her safety or well-being. ***Any such recent conduct may or may not***  
31 ***include acts of abuse as described in subparagraphs (a) through (h):***

32 6 New Paragraph; Protection of Persons from Domestic Violence; Definition Added. Amend RSA  
33 173-B:1 by inserting after paragraph V the following new paragraph:

34 V-a. "Credible present threat" means a determination made upon a finding of the  
35 commission or attempted commission of one or more acts abuse. In its analysis, the court may also  
36 consider conduct outlined in the lethality assessment screening tool outlined in RSA 21-M:8-n.

1           7 New Subparagraph; Protection of Persons from Domestic Violence; Temporary Relief. Amend  
2 RSA 173-B:4, I(a) by inserting after subparagraph (10) the following new subparagraph:

3                   (11) Restraining the defendant from taking any action to interfere with the  
4 plaintiff's legal or government documents.

5           8 New Paragraph; Protection of Persons from Domestic Violence; Temporary Relief. Amend  
6 RSA 173-B:4 by inserting after paragraph II the following new paragraph:

7                   III. After initial review of the domestic violence petition, if the court intends to deny the  
8 request for a temporary order, the court shall make all reasonable efforts to have contact with the  
9 plaintiff before denying temporary relief.

10           9 Protection of Persons from Domestic Violence; Notification. Amend RSA 173-B:8, II and III to  
11 read as follows:

12                   II. *All* temporary orders shall be promptly served on the defendant by a peace officer. ***Upon***  
13 ***service, a peace officer shall notify the victim that the defendant has received notice of the***  
14 ***order. The court shall maintain the protective order under seal until such time as a return***  
15 ***of service is received from law enforcement. Subsequent orders shall be served on the***  
16 ***defendant by the court or by a peace officer, if the order was not served at the time of the***  
17 ***hearing, and shall be mailed to the defendant's last address of record*** [~~Subsequent orders~~  
18 ~~shall be sent to the defendant's last address of record~~]. The defendant shall be responsible for  
19 informing the court of any changes of address. Law enforcement agencies shall establish procedures  
20 whereby a peace officer at the scene of an alleged violation of such an order may be informed of the  
21 existence and terms of such order.

22                   III. Any court-ordered changes or modifications of the order shall be effective upon issuance  
23 of such changes or modifications, ***shall be served on the defendant pursuant to paragraph II,***  
24 and shall be mailed or otherwise provided to the appropriate local law enforcement agency and  
25 transmitted to the department of safety within 24 hours of the entry of such changes or  
26 modifications.

27           10 Violation of a Protective Order; Penalty. Amend RSA 173-B:9, III-IV to read as follows:

28                   III. A person shall be guilty of a class A misdemeanor if such person knowingly violates a  
29 protective order issued under this chapter, or RSA 458:16, III, ***RSA 461-A:10***, or any foreign  
30 protective order enforceable under the laws of this state. Charges made under this chapter shall not  
31 be reduced to a lesser charge, as permitted in other instances under RSA 625:9.

32                   IV. Any person convicted under RSA 173-B:9, III, or who has been convicted in another  
33 jurisdiction of violating a protective order enforceable under the laws of this state, who, within 6  
34 years of such conviction or the completion of the sentence imposed for such conviction, whichever is  
35 later, subsequently [~~commits and is convicted of one or more offenses~~] ***an offense*** involving abuse  
36 ***or a violation of a protective order*** may be charged with an enhanced penalty for each  
37 subsequent offense as follows:

1           (a) There shall be no enhanced charge under this section if the subsequent offense is a  
2 class A felony or an unclassified felony;

3           (b) If the subsequent offense would otherwise constitute a class B felony, it may be  
4 charged as a class A felony;

5           (c) If the subsequent offense would otherwise constitute a class A misdemeanor, it may  
6 be charged as a class B felony;

7           (d) If the subsequent offense would otherwise constitute a class B misdemeanor, it may  
8 be charged as a class A misdemeanor;

9           (e) If the subsequent offense would otherwise constitute a violation, it may be charged as  
10 a class B misdemeanor.

11       11 New Subparagraph; Protection of Persons from Domestic Violence; Lethality Assessment  
12 Protocol. Amend RSA 173-B:10, I by inserting after subparagraph (d) the following new  
13 subparagraph:

14           (e) Screening the victim for risk of lethality pursuant to the guidance established under  
15 RSA 21-M:8-n.

16       12 New Section; Lethality Assessment Program. Amend RSA 21-M by inserting after section 8-  
17 m the following new section:

18       21-M:8-n Lethality Assessment Program.

19           I. There is established a lethality assessment program to be administered by the department  
20 of justice.

21           II. The department shall adopt rules pursuant to RSA 541-A to establish protocols for law  
22 enforcement officers to follow to evaluate potential lethality in domestic violence scenarios, including  
23 the development of standardized forms that the officers shall be required to use.

24       13 Parental Rights and Responsibilities; Ex Parte Orders. Amend RSA 461-A:9, II to read as  
25 follows:

26           II. No ex parte order shall be granted without:

27           (a) An affidavit from the moving party verifying the notice given to the other party or  
28 verifying the attempt to notify the other party; **and**[-]

29           ~~(b)~~ a determination by the court that such notice or attempt at notice was timely so as  
30 to afford the other party an opportunity to be present; **or**

31           **(b) An affidavit from the moving party that, for reasons specified, the applicant**  
32 **should not be required to inform the opposing party.**

33       14 Annulment, Divorce, and Separation; Temporary Relief and Permanent Restraining Orders.  
34 Amend RSA 458:16, II(b) to read as follows:

35           (b) No ex parte order shall be granted without:

36           (1) An affidavit from the moving party verifying the notice given to the other party  
37 or verifying the attempt to notify the other party; **and**[-]

1           ~~(2)~~ a determination by the court that such notice or attempt at notice was timely so  
2 as to afford the other party an opportunity to be present: *or*

3           **(2) An affidavit from the moving party that, for reasons specified, the**  
4 **applicant should not be required to inform the opposing party.**

5           15 Criminal Code; Stalking. Amend RSA 633:3-a, I(c) to read as follows:

6           (c) After being served with, or otherwise provided notice of, a protective order pursuant  
7 to RSA 173-B, RSA 458:16, **RSA 461-A:10**, or paragraph III-a of this section, or an order pursuant to  
8 RSA 597:2 that prohibits contact with a specific individual, purposely, knowingly, or recklessly  
9 engages in a single act of conduct that both violates the provisions of the order and is listed in  
10 paragraph II(a).

11           16 New Subparagraph; Criminal Code; Stalking. Amend RSA 633:3-a, II(a) by inserting after  
12 subparagraph (7) the following new subparagraph:

13           (8) Placing, locating, or installing an electronic device, as defined by RSA 644-A:1, II,  
14 on the person or another, or on property in which another has a legal or equitable interest, to  
15 monitor, track, observe, surveil, or obtain location information from such electronic device that can  
16 pinpoint or track the location of another without the person's knowledge or consent.

17           17 Criminal Code; Stalking. Amend RSA 633:3-a, V to read as follows:

18           V. Any law enforcement officer may arrest, without a warrant, any person that the officer  
19 has probable cause to believe has violated the provisions of this section when the offense occurred  
20 within 12 hours, regardless of whether the crime occurred in the presence of the officer. A law  
21 enforcement officer shall arrest a person when he has probable cause to believe a violation of the  
22 provisions of this section has occurred within the last 12 hours when the offense involves a violation  
23 of a protective order issued pursuant to RSA 173-B, RSA 458:16, **RSA 461-A:10**, or paragraph III-a  
24 of this section.

25           18 Annulment of Criminal Records; Violent Crime. RSA 651:5, XIII is repealed and reenacted to  
26 read as follows:

27           XIII. As used in this section, "violent crime" means:

28           (a) Capital murder, first or second degree murder, manslaughter, or class A felony  
29 negligent homicide under RSA 630;

30           (b) First degree assault under RSA 631:1;

31           (c) Second degree assault under RSA 631:2;

32           (d) Class B felony domestic violence under RSA 631:2-b;

33           (e) Aggravated felonious sexual assault or felonious sexual assault under RSA 632-A;

34           (f) Kidnapping, criminal restraint, or trafficking persons under RSA 633;

35           (g) Class B felony stalking under RSA 633:3-a;

36           (h) Class A felony arson under RSA 634:1;

37           (i) Robbery under RSA 636;

1 (j) Incest under RSA 639:2, III or endangering the welfare of a child by solicitation under  
2 RSA 639:3, III;

3 (k) Any felonious offense involving child sexual abuse images under RSA 649-A; or

4 (l) Computer pornography and child exploitation under RSA 649-B.

5 19 Annulment of Criminal Records. Amend RSA 651:5, IX to read as follows:

6 IX.(a) When a petition for annulment is timely brought, the court shall require the  
7 department of corrections to report to the court concerning any state or federal convictions, arrests,  
8 or prosecutions of the petitioner and any other information which the court believes may aid in  
9 making a determination on the petition. The department shall charge the petitioner a fee of \$100 to  
10 cover the cost of such investigation unless the petitioner demonstrates that he or she is indigent, or  
11 has been found not guilty, or the case has been dismissed or not prosecuted in accordance with  
12 paragraph II.

13 (b) The department of safety shall charge the successful petitioner a fee of \$100 for  
14 researching and correcting the criminal history record accordingly, unless the petitioner  
15 demonstrates that he or she is indigent, or has been found not guilty, or the case has been dismissed  
16 or not prosecuted in accordance with paragraph II.

17 (c) The court shall provide a copy of the petition to the prosecutor of the underlying  
18 offense and permit them to be heard regarding the interest of justice in regard to the petition. ***The***  
19 ***prosecutor of the underlying offense shall make a reasonable effort to provide notice to the***  
20 ***victim, as defined in RSA 21-M:8-k, of the offense, or the victim's next of kin if the victim***  
21 ***has died. The victim or victim's next of kin may appear personally to address the judge, or***  
22 ***by counsel, or may provide a written statement to reasonably express his or her views***  
23 ***concerning the offense, the petitioner, and how an annulment would impact public***  
24 ***welfare. The judge may consider the statements of the victim or next of kin made pursuant***  
25 ***to this paragraph when making a decision to grant an annulment.***

26 (d) The petitioner's request for a court filing fee waiver shall be submitted on a form  
27 supplied by the court.

28 20 Effective Date. This act shall take effect January 1, 2027.

**HB 1595-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT establishing a domestic violence program and relative to orders of protection, stalking offenses, and annulment of criminal records.

**FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.**

<b>Estimated State Impact</b>				
	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>FY 2029</b>
<b>Revenue</b>	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
<b>Expenditures*</b>	\$0	Indeterminable Increase \$382,000 to \$507,000	Indeterminable Increase \$255,000 to \$345,000	Indeterminable Increase \$265,000 to \$355,000
<i>Funding Source(s)</i>	General Fund and Highway Fund			
<b>Appropriations*</b>	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

\*Expenditure = Cost of bill

\*Appropriation = Authorized funding to cover cost of bill

**METHODOLOGY:**

This bill establishes a Domestic Violence Program within the Judicial Branch, expands judicial training requirements, and requires courts to develop new procedures, data-collection systems, and annual reporting related to domestic violence cases. The bill amends RSA 173-B to change definitions, service and notification provisions, and temporary relief procedures in protective-order cases. It also requires law enforcement officers to complete a lethality assessment program (LAP) screening when domestic violence is suspected and establishes a LAP program within the Department of Justice. The bill creates additional options for domestic violence victims filing family-court petitions, amends the stalking statute to include conduct involving electronic tracking devices, and expands the list of violent crimes for annulment purposes while requiring victim notification in annulment proceedings.

The Judicial Branch states this bill would require the creation and operation of a new Domestic Violence Program, including an advisory committee, statewide standards, expanded judicial and staff training, new data-collection obligations, and an annual public report. The Branch would also be required to explore establishing a pilot Domestic Violence Court, which would involve additional planning by judges, administrators, and clerks. The bill makes several changes to RSA 173-B protective-order procedures that will require additional case-processing time,

modifications to workflow, and updates to forms, protocols, and court rules. New statutory requirements for stalking and annulment cases will also require updates to forms and dockets.

The Branch explains that some of the bill's service and notification language will require reworking existing processes, including a clause referencing the return of service being received before providing the defendant a copy, which is not operationally feasible and would need clarification. The Branch currently transmits RSA 173-B protective orders electronically to the Department of Safety and law enforcement through the statewide RightFax system; the bill's new reporting requirements would require enhancements to existing systems rather than a completely new transmission pathway. Most costs begin in FY 2027 due to the January 1, 2027 effective date. The Branch estimates implementation costs in FY 2027 will likely exceed \$100,000 but remain under \$200,000, with ongoing costs after FY 2027 expected to be less than \$10,000 per year.

The Department of Justice states the bill expands the requirements for domestic-violence-related training, requires law enforcement agencies to complete lethality assessment screening forms, and establishes a formal LAP program within the Department. The Department currently administers LAP on a voluntary basis but reports that statewide participation is approximately 45 percent. Making the program mandatory would significantly increase the demand for training, technical assistance, and data management. To meet these requirements, the DOJ states it would need one full-time unclassified Investigator at a cost of \$100,000 for FY 2027 (start date January 1, 2027, part-year cost for FY 2027 and start up costs including a vehicle), \$128,000 for FY 2028, and \$133,000 for FY 2029 to conduct LAP training for law enforcement agencies not currently participating and one full-time Program Coordinator (23-2010 PARALGLS-LGL ASSTS-6 SOC23-06) at a cost of \$58,000 for FY 2027 (start date January 1, 2027, part-year cost for FY 2027), \$107,000 for FY 2028, and \$112,000 for FY 2029 to support data collection, analysis, rulemaking, and technical assistance. The total cost for the two positions is \$207,000 in FY 2027, \$235,000 in FY 2028, and \$245,000 in FY 2029.

The Department of Safety's New Hampshire State Police states the bill would increase operational responsibilities related to the development and implementation of new domestic-violence procedures. Although the impact on trooper operations is indeterminable, the Department expects any increase in workload to be moderate to minimal. The most significant fiscal impact identified is the creation of a new file in the National Crime Information Center (NCIC) to store information on unserved protection orders to improve officer awareness and enforcement. The Department estimates the cost of building this file at \$75,000 to \$100,000, funded 75 percent from the General Fund and 25 percent from the Highway Fund. Additional

system maintenance costs in subsequent fiscal years are expected to fall within the \$10,000–\$100,000 range.

**AGENCIES CONTACTED:**

Judicial Branch, Department of Justice, and Department of Safety