

HB 1637 - AS INTRODUCED

2026 SESSION

26-3020

09/08

HOUSE BILL **1637**

AN ACT relative to the scheduling of hearings on certain motions to modify or revoke bail.

SPONSORS: Rep. Manos, Rock. 12; Rep. Beauchemin, Hills. 3; Rep. Gregg, Hills. 7; Rep. Johnson, Straf. 11; Rep. Meuse, Rock. 37; Rep. Newell, Ches. 4; Rep. Selig, Straf. 10; Rep. M. Smith, Straf. 10; Sen. Altschiller, Dist 24

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill sets a time frame for the scheduling of hearings on certain motions to modify or revoke bail.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 relative to the scheduling of hearings on certain motions to modify or revoke bail.

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

1 1 Bail and Recognizances; Review and Appeal of Release or Detention Order. Amend RSA
2 597:6-e, II to read as follows:

3 II. Subject to RSA 597:2, XIV the person or the state may file with the superior court a
4 motion for revocation of the order or amendment of the conditions of release set by a municipal or
5 district court, by a justice, or by a bail commissioner. The motion shall be determined promptly. ***In***
6 ***domestic violence, stalking, and harassment cases, whether the motion is filed by the state***
7 ***or the defense, the hearing on the motion shall be scheduled within 72 hours, excluding***
8 ***weekends and state or federal holidays. The hearing does not have to be held within 72***
9 ***hours of the filing of the motion, but it shall be scheduled within 72 hours, excluding***
10 ***weekends and state or federal holidays.*** However, no action shall be taken on any such motion
11 until the moving party has provided to the superior court certified copies of the complaint, affidavit,
12 warrant, bail slip, and any other court orders relative to each charge for which a release or detention
13 order was issued by a justice, or a bail commissioner. In cases where a district court justice has
14 made a finding, pursuant to RSA 597:2, IV that the person poses a danger to another, the superior
15 court shall, after notification to both parties, the police department that brought the charges in
16 district court, and the victim, conduct a hearing and make written findings supporting any
17 modifications and reasons for new conditions or changes from the district court order. The reviewing
18 court shall take into consideration the district court's written findings, orders, pleadings, or
19 transcript when making a modification.

20 2 Effective Date. This act shall take effect January 1, 2027.