

HB 1639-FN - AS INTRODUCED

2026 SESSION

26-3041

04/09

HOUSE BILL ***1639-FN***

AN ACT establishing investigatory grand juries housed under the county sheriffs' offices.

SPONSORS: Rep. D. Kelley, Hills. 32; Rep. Aldrich, Belk. 6; Rep. Bailey, Straf. 2; Rep. Potenza, Straf. 19; Rep. Sabourin dit Choiniere, Rock. 30; Rep. Sirois, Hills. 32; Rep. Terry, Belk. 7; Rep. Turcotte, Straf. 4; Rep. DeRoy, Straf. 3

COMMITTEE: Judiciary

ANALYSIS

This bill establishes a framework for petition-initiated special grand juries with broad investigative authority over public institutions, detention and care facilities, financial entities, election and tax administration, corporate and professional misconduct, and federal overreach, while requiring counties to support their operations.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

1 II. The grand jury may conduct on-site inspections, review records, and interview staff or
2 residents as necessary to fulfill its duties under this section.

3 III. Residents and prisoners shall be given a confidential means of communicating with the
4 foreman of the regular grand jury or special grand jury if they fear reprisal for providing
5 information.

6 600-C:3 Audit of Public Entities Receiving Taxpayer Funds.

7 I. The grand jury shall investigate and report on the operations, accounts, and records of
8 any county department, agency, or function, including any public entity that receives county or
9 municipal taxpayer funds.

10 II. At a minimum, the grand jury shall select at least one such entity for investigation
11 during each term.

12 III. The grand jury may:

13 (a) Examine financial records, contracts, and expenditures;

14 (b) Interview public officials, employees, or contractors; and

15 (c) Review policies, procedures, internal controls, and internal communications.

16 IV. Nothing in this section shall be construed to limit the grand jury's authority to
17 investigate additional entities or to issue findings and recommendations regarding the efficiency,
18 effectiveness, or integrity of public operations.

19 V. If, in the judgment of the grand jury, the services of professional auditors, investigators,
20 or other experts are necessary to carry out its duties under this section, the grand jury may retain
21 such individuals at a compensation to be agreed upon and approved by the superior court.

22 VI. If the county attorney, sheriff, or other public official declines to provide assistance
23 requested by the grand jury, the grand jury may independently retain personnel they deem
24 competent to perform the necessary investigative or technical functions.

25 VII. Any individual retained under this section shall have access to all records, documents,
26 and facilities that may be inspected by the grand jury, subject to the same confidentiality
27 requirements and limitations on public disclosure.

28 VIII. The grand jury may transmit its findings and recommendations to the public. The
29 costs of any services retained under this section shall be paid by the county, subject to approval by
30 the superior court.

31 600-C:4 Grand Jury Reports and Presentments.

32 I. All grand juries in this state shall have the authority and responsibility to issue
33 presentments, reports, and findings concerning any matter within its jurisdiction, including but not
34 limited to misuse or mismanagement of public funds, inefficiencies or failures in public
35 administration, and conditions requiring corrective legislation or policy reform.

36 II. The grand jury may submit such reports or presentments to the superior court and the
37 public at any time during its term of service.

1 III. Within 60 days of the issuance of any grand jury presentment, report, indictment, or
2 legislative recommendation, the county commissioners shall include the document on the agenda of a
3 public meeting for acknowledgment and discussion.

4 600-C:5 Review of Election and Tax Administration.

5 I. A grand jury convened under this chapter may investigate the administration and
6 integrity of voter registration and maintenance procedures conducted by municipal election officials
7 and property tax assessment and collection procedures conducted by county or municipal tax
8 authorities.

9 II. The grand jury may examine public records, interview officials, and issue presentments,
10 findings or recommendations regarding the accuracy and maintenance of vote checklists, compliance
11 with applicable election and tax laws, and the transparency and fairness of administrative
12 procedures.

13 600-C:6 Grand Jury Facilities.

14 The grand jury shall be housed within the county sheriff's department in a secure and
15 confidential space, separate from law enforcement operations. The superior court shall retain
16 supervisory authority over the grand jury.

17 600-B:7 Investigation of Corporate Misconduct.

18 The grand jury may investigate allegations of corruption, fraud, or other criminal wrongdoing
19 involving corporations or business entities operating within the county, particularly where such
20 conduct affects public funds, services, or the general welfare. The grand jury may issue
21 presentments, findings or recommendations to the superior court and the public.

22 600-C:8 Investigation of Professional Licensing Boards.

23 The grand jury may investigate allegations of fraud, abuse of authority, or other criminal
24 misconduct regarding professional boards under the office of profession licensure and certification,
25 as established in RSA 310:2. The grand jury may issue findings or recommendations to the superior
26 court and relevant public agencies, subject to applicable confidentiality laws.

27 600-C:9 Review of Financial Institutions Holding Public Funds.

28 The grand jury shall annually review at least one financial institution holding state or county
29 tax revenues, with a focus on potential fraud, mismanagement, or legal noncompliance. Subpoenas
30 for financial records may be issued pursuant to RSA 359-C:10, and findings may be reported to the
31 superior court, county commissioners, and the public.

32 600-C:10 Investigation of War Crimes.

33 The grand jury shall investigate any credible allegation that a state employee has committed
34 war crimes or violations of international humanitarian law while acting in an official capacity
35 outside of the United States. The grand jury may issue presentments, findings, and refer such
36 matters to the appropriate state or federal authorities for prosecution or further action.

37 600-C:11 Investigation of Federal Overreach.

HB 1639-FN - AS INTRODUCED

- Page 4 -

1 The grand jury shall investigate any instance of overreach, abuse of authority, or unlawful
2 conduct by federal agencies or agents operating within the state of New Hampshire, particularly
3 where such conduct violates state law or infringes upon the rights of New Hampshire residents. The
4 grand jury may issue findings and refer matters to the attorney general or superior court.

5 600-C:12 Review of Sentencing Trends.

6 The grand jury may examine sentences handed down by federal, state, and local courts to assure
7 the public that all penalties are proportionate to the nature of the offense as required under part I,
8 article 18 of the New Hampshire constitution. If they deem that such a punishment is cruel and
9 unusual punishment they may recommend that the attorney general move the prisoner, or request
10 the federal government transfer said prisoner to state custody, into a more suitable environment to
11 improve chances of rehabilitation.

12 600-C:13 Independence of Grand Jury Investigations.

13 Nothing in this chapter shall restrict or restrain the regular grand juries from pursuing
14 investigations of their choosing and issuing presentments, findings, and recommendations to the
15 public.

16 3 Effective Date. This act shall take effect January 1, 2027.

**HB 1639-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT establishing investigatory grand juries housed under the county sheriffs' offices.

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

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
Expenditures*	\$0	Indeterminable Increase \$475,200 +	Indeterminable Increase \$950,400 +	Indeterminable Increase \$950,400 +
<i>Funding Source(s)</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	\$0	\$0	\$0	\$0

METHODOLOGY:

This bill establishes petition-initiated special grand juries housed under county sheriff's offices and expands the investigative duties and authority of regular county grand juries. The bill increases grand juror compensation to \$200 per day and requires counties to fund the convening and operation of petition-initiated special grand juries.

The Judicial Branch states this bill will result in an indeterminable increase in state expenditures beginning in FY 2027. This bill increases the rate of grand juror compensation to \$200 per day, replacing the existing \$10 per half day and \$20 per full day. Because historical jury payment data do not distinguish grand jurors from petit jurors, the Branch used a conservative assumption of 20 grand jurors seated for 2 days per month at 11 court locations. Under the new rate, annual grand juror payments would total approximately \$1,056,000

compared to \$105,600 under current law, an increase of approximately \$950,400 each fiscal year. Because the bill takes effect January 1, 2027, the cost in FY 2027 would be only a half-year impact. The Branch notes that costs could double if grand juries sit for 4 days per month instead of 2.

The New Hampshire Association of Counties states this bill would result in an indeterminable increase in county expenditures, as counties are required to fund the operational costs of petition-initiated special grand juries, including facilities, administrative support, and any auditors, investigators, or technical experts retained by the grand jury as approved by the superior court. However, under RSA 500-A:15, as amended by the bill, juror compensation and mileage continue to be paid by the State, not by counties. Because the number of petitions, the scope of investigations, and the extent to which grand juries would request outside services cannot be predicted, counties cannot estimate the scale or frequency of such costs, though expenses could be significant depending on the complexity of investigations.

AGENCIES CONTACTED:

Judicial Branch and New Hampshire Association of Counties