

Rep. H. Howard, Straf. 4  
March 10, 2026  
2026-1147h  
09/08

Floor Amendment to HB 1616-FN

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT relative to witness fees in criminal cases.

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5 Amend the bill by replacing all after the enacting clause with the following:

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7 1 Witnesses; Fees. RSA 516:16 is repealed and reenacted to read as follows:

8 516:16 Witness Fees for Returning to Court. In any criminal proceeding, no witness shall be  
9 eligible to receive a fee for appearing in court pursuant to a summons to appear except if a civilian  
10 witness appears in court at the time and place designated but is required, through no fault of the  
11 witness, to return to court to testify in the same proceeding for a second or subsequent day. For each  
12 subsequent day, the civilian witness shall be entitled to a payment for each day of attendance and  
13 mileage for each mile's travel to and from the place of testifying; mileage to be allowed for each day's  
14 attendance where the witness is required to leave the town or city in which he or she resides to  
15 testify. The rate of the fees shall be the same as those authorized in 28 U.S.C. section 1821.

16 2 Effective Date. This act shall take effect January 1, 2026.

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AMENDED ANALYSIS

This bill allows witness fees in criminal proceedings for civilian witnesses who appear in court at the place and time designated but are required to return another day to testify in the same proceeding.