

HB 1279 - AS AMENDED BY THE SENATE

05/14/2026 1545s

05/14/2026 1944s

2026 SESSION

26-2855

09/08

HOUSE BILL **1279**

AN ACT relative to the use of physical force in defense of a person and relative to authorization of seclusion or restraint during a personal safety emergency by a physician, physician associate, or advanced practice registered nurse.

SPONSORS: Rep. Polozov, Merr. 10; Rep. Aures, Merr. 13; Rep. Avellani, Carr. 4; Rep. Giasson, Hills. 29; Rep. McFarlane, Graf. 18; Rep. Sabourin dit Choiniere, Rock. 30; Rep. Sirois, Hills. 32; Rep. Thibault, Merr. 25; Rep. Roy, Rock. 31; Sen. Sullivan, Dist 18

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill:

I. Modifies the standard for when force can be used against someone likely to use unlawful force in the commission of a felony.

II. Authorizes a physician, physician associate, or advanced practice registered nurse (APRN) to order seclusion or restraint during a personal safety emergency at New Hampshire hospital and other designated receiving facilities.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to the use of physical force in defense of a person and relative to authorization of seclusion or restraint during a personal safety emergency by a physician, physician associate, or advanced practice registered nurse.

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

1 1 Physical Force in Defense of a Person. Amend RSA 627:4, II(d) to read as follows:

2 (d) Is likely to use any unlawful force in the commission of a felony against the actor **or**
3 **a third person** within such actor's dwelling or its curtilage.

4 2 New Hampshire Mental Health Services System; Treatment Rights; Seclusion or Restraint.

5 Amend RSA 135-C:57, V to read as follows:

6 V. Freedom from seclusion or physical or pharmacological restraint. **Notwithstanding any**
7 **state law to the contrary**, seclusion or restraint shall be administered only **by order of a**
8 **physician, physician associate, or an APRN** with the consent of the person, who has made an
9 informed decision, or as a form of emergency treatment imposed by law or by rules, adopted by the
10 commissioner under RSA 541-A.

11 3 Effective Date.

12 I. Section 1 of this act shall take effect January 1, 2027.

13 II. The remainder of this act shall take effect 60 days after its passage.