

**HB 57 - AS INTRODUCED**

2025 SESSION

25-0021

11/08

HOUSE BILL **57**

AN ACT relative to a person's release from prison for the purpose of participating in certain post-secondary education programs in the community.

SPONSORS: Rep. Meuse, Rock. 37

COMMITTEE: Criminal Justice and Public Safety

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ANALYSIS

This bill adds a provision for the commissioner of corrections to release a person from state prison for the purpose of participating in a post-secondary education program in the community to which they have been accepted.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT                    relative to a person's release from prison for the purpose of participating in certain post-secondary education programs in the community.

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

1            1 Inmate Release; Post-Secondary Education. Amend RSA 651:25, I to read as follows:

2            I. The commissioner of corrections may release any person who has been committed to the  
3 state prison at any time during the term of sentence for the purpose of obtaining and working at  
4 gainful employment, ***to participate in post-secondary education in the community for which***  
5 ***they have been accepted for enrollment***, for the performance of uncompensated public service as  
6 provided in RSA 651:68-70, or for such other purpose as may be deemed conducive to his  
7 rehabilitation, for such times or intervals of time and under such terms and conditions as may be  
8 prescribed by the commissioner pursuant to RSA 541-A, provided, however, that a prisoner who has  
9 not served sufficient time to be eligible for parole may be released under this section only if the  
10 sentencing court and the prosecutor of the underlying offense have been notified of the proposed  
11 release, and there has been no objection within 10 days of the notice by either the sentencing court  
12 or the prosecutor of the underlying offense. If the prosecutor of the underlying offense objects to the  
13 proposed release, the prosecutor shall submit in writing to the sentencing court the reasons for  
14 objecting. The sentencing court shall, within 10 days of receipt of the prosecutor's objection,  
15 schedule a hearing on the proposed release. The sentencing court shall then approve or deny the  
16 proposed release. The commissioner of corrections may permit inmates of the state prison, who  
17 volunteer to do so, to be gainfully employed outside the institution when such employment is  
18 considered in their best interest and the best interest of the state. Inmates may be so employed by  
19 the state or by public or private employers.

20            2 Inmate Attendance at Post-Secondary Education Program. Amend RSA 651:25, III-IV to read  
21 as follows:

22            III. Any part of a day a prisoner is employed ***or enrolled in post-secondary education***  
23 outside the walls of the institution shall count as a full day toward the serving of his ***or her*** sentence  
24 as though served inside the walls. An inmate so employed ***or enrolled in post-secondary***  
25 ***education*** outside shall be subject to the rules and regulations of the institution and be under the  
26 direction and control of the officers thereof.

27            IV. If an inmate released for work ***or enrolled in post-secondary education*** escapes or  
28 fails to return inside the walls of the institution as required by the rules or the orders of the officers  
29 thereof or if on administrative home confinement, knowingly leaves a place without authority to do  
30 so, such inmate shall be punished as provided by RSA 642:6. The commissioner of corrections may

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1 at any time recall a prisoner from such release status if the commissioner believes or has reason to  
2 believe the peace, safety, welfare, or security of the community may be endangered by the prisoner  
3 being under such release status.

4 3 Effective Date. This act shall take effect 60 days after its passage.