

CHAPTER 233
HB 1576-FN - FINAL VERSION

19Feb2026... 0366h
4Jun2026... 2132EBA

2026 SESSION

26-2889
09/08

HOUSE BILL ***1576-FN***

AN ACT relative to the enforcement of criminal restitution obligations.

SPONSORS: Rep. Paquette, Hills. 25; Rep. Cole, Hills. 26; Rep. Dupont, Hills. 20; Rep. Gagne, Hills. 16; Rep. Kesselring, Hills. 18; Rep. Korzen, Coos 7; Rep. McGrath, Rock. 40; Rep. McLean, Hills. 15; Rep. Morton, Hills. 39; Rep. Grill, Hills. 18; Sen. Innis, Dist 7; Sen. Sullivan, Dist 18

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill provides for new mechanisms for the enforcement of criminal restitution obligations, including mandatory financial reevaluation and additional penalties for noncompliance.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to the enforcement of criminal restitution obligations.

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

1 233:1 Legislative Findings and Purpose. The general court finds that restitution is a court-ordered
2 obligation intended to help victims recover from the harm caused by crime. The current statutory
3 framework does not provide sufficient safeguards to ensure timely disbursement of restitution, consistent
4 enforcement of payment obligations, or regular review of an offender's ability to pay. Too often, victims
5 are left waiting for payments or without clear communication regarding enforcement. It is therefore the
6 purpose of this act to modernize New Hampshire's restitution system by requiring mandatory financial
7 reevaluations, strengthening enforcement mechanisms, improving victim communication, requiring
8 prompt disbursement of collected funds, and extending restitution obligations to a victim's estate when
9 appropriate. These reforms are remedial in nature and shall apply to both current and future restitution
10 orders, so that all victims may benefit from the protections herein provided.

11 233:2 Restitution; Time and Method. Amend RSA 651:64, I to read as follows:

12 I. The time and method of restitution payments or performance of restitution services shall be
13 specified by the department of corrections. Monetary restitution may be by lump sum, or by periodic
14 installments in any amounts. The court shall not be required to reduce the total obligation as a result of
15 the offender's inability to pay. The offender shall bear the burden of demonstrating lack of ability to pay.
16 Restitution shall be paid by the offender to the department of corrections unless otherwise ordered by the
17 court. Monetary restitution shall not bear interest, ***except as authorized by this section***. Restitution shall
18 be made to any collateral source or subrogee, if authorized by that source and after restitution to the
19 victim, and to the victims' assistance fund, if applicable, has been satisfied. Restitution shall be a
20 continuing obligation of the offender's estate and shall inure to the benefit of the victim's estate, provided
21 that no indebtedness shall pass to any heir of the offender's estate.

22 233:3 Restitution; Time and Method; Enforcement. RSA 651:64, III is repealed and reenacted to
23 read as follows:

24 III.(a) The department of corrections shall conduct a mandatory reevaluation of each offender's
25 financial ability to pay restitution at least once every 12 months.

26 (b) If a reevaluation determines that the offender's ability to pay has substantially increased,
27 including but not limited to salary increases, lump sum payments, inheritance, settlement, or other
28 financial gain, the department shall adjust the payment schedule upward within 30 days.

29 (c) Any adjustment shall apply retroactively to the date of the increase, with arrears added to
30 the balance owed.

31 (d) Any such adjustment shall trigger immediate notification to the victim pursuant to
32 paragraph VI.

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1 (e) Each reevaluation shall also include a review of the offender's payment history. If the
2 offender has missed payments, paid less than ordered without good cause, or intentionally delayed
3 payments, the department shall initiate enforcement measures pursuant to paragraph IV.

4 (f) The offender shall promptly notify the department of corrections of any change in their
5 ability to pay that occurs outside the reevaluation period.

6 IV. For any incarcerated offender, the department of corrections shall automatically deduct 10
7 percent of all incoming monies from the offender's resident account to pay restitution unless otherwise
8 precluded by court order.

9 V.(a) In the event of noncompliance, the department of corrections shall initiate enforcement
10 actions, which may include:

11 (1) Wage garnishment.

12 (2) Interception of tax refunds.

13 (3) Placement of liens on real property and assets.

14 (4) Referral to the appropriate prosecuting authority for consideration of prosecution for
15 contempt, pursuant to RSA 651:67.

16 (b) Intentional nonpayment shall result in interest accruing on the unpaid balance at the civil
17 judgment rate established pursuant to RSA 336:1, II, together with a financial penalty, as established by
18 rule, designed to deter noncompliance.

19 VI.(a) The department of corrections shall provide written notice to victims within 30 days of any
20 reevaluation results, payment schedule changes, or enforcement actions taken.

21 (b) In the absence of any change, the department of corrections shall provide quarterly
22 payment status updates to victims unless the victim elects otherwise in writing.

23 (c) If restitution payments will be delayed for any reason, including administrative or technical
24 delays, the department of corrections shall provide the victim with written notice explaining the reason for
25 the delay and the expected payment date.

26 VII. The department of corrections, or any agent acting on its behalf, shall disburse all restitution
27 payments to victims within 45 days of receipt of the funds from the offender or the offender's financial
28 institution. In the event that disbursement is disrupted for any reason, the department of corrections shall
29 notify the victim in writing of the delay, the reason for the disruption, and the anticipated date of payment.

30 VIII. The original prosecuting authority shall continue to provide victim services for the victim until
31 all restitution orders have been fully satisfied.

32 233:4 Application. The provisions of this section are remedial in nature and shall apply to all existing
33 restitution orders as of the effective date of this section, as well as to all future restitution orders.

34 233:5 Effective Date. This act shall take effect June 1, 2027.

Approved: July 02, 2026
Effective Date: June 01, 2027

