

CHAPTER 237
HB 1637 - FINAL VERSION

05/14/2026 1920s

2026 SESSION

26-3020
09/08

HOUSE BILL

1637

AN ACT relative to the scheduling of hearings on certain motions to modify or revoke bail.

SPONSORS: Rep. Manos, Rock. 12; Rep. Beauchemin, Hills. 3; Rep. Gregg, Hills. 7; Rep. Johnson, Straf. 11; Rep. Meuse, Rock. 37; Rep. Newell, Ches. 4; Rep. Selig, Straf. 10; Rep. M. Smith, Straf. 10; Sen. Altschiller, Dist 24

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill sets a time frame for the scheduling of hearings on certain motions to modify or revoke bail.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 scheduling of hearings on certain motions to modify or revoke bail.

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

1 237:1 Bail and Recognizances; Review and Appeal of Release or Detention Order. Amend RSA
2 597:6-e, II to read as follows:

3 II. Subject to RSA 597:2, XIV the person or the state may file with the superior court a motion for
4 revocation of the order or amendment of the conditions of release set by a municipal or district court, by a
5 justice, or by a bail commissioner. The motion shall be determined promptly. ***In domestic violence,***
6 ***stalking, and harassment cases, whether the motion is filed by the state or the defense, the hearing on the***
7 ***motion shall be scheduled within 72 hours, excluding weekends and state or federal holidays. The***
8 ***hearing does not have to be held within 72 hours of the filing of the motion, but it shall be scheduled within***
9 ***72 hours, excluding weekends and state or federal holidays.*** However, no action shall be taken on any
10 such motion until the moving party has provided to the superior court certified copies of the complaint,
11 affidavit, warrant, bail slip, and any other court orders relative to each charge for which a release or
12 detention order was issued by a justice, or a bail commissioner. In cases where a district court justice has
13 made a finding, pursuant to RSA 597:2, IV that the person poses a danger to another, the superior court
14 shall, after notification to both parties, the police department that brought the charges in district court, and
15 the victim, conduct a hearing and make written findings supporting any modifications and reasons for new
16 conditions or changes from the district court order. The reviewing court shall take into consideration the
17 district court's written findings, orders, pleadings, or transcript when making a modification.

18 237:2 New Paragraph; Release of a Defendant Pending Trial. Amend RSA 597:2 by inserting after
19 paragraph XIII the following new paragraph:

20 XIII-a. In any matter where bail has been set by the circuit court, either the state or the defendant
21 may seek to have the circuit court reconsider the conditions of bail, including based on new information,
22 by filing a motion with the circuit court. In domestic violence, stalking, and harassment cases, whether the
23 motion is filed by the state or the defense, the hearing on the motion shall be scheduled within 72 hours,
24 excluding weekends and state or federal holidays. The hearing does not have to be held within 72 hours
25 of the filing of the motion, but it shall be scheduled within 72 hours, excluding weekends and state or
26 federal holidays. Following the order of the circuit court, either party may seek further review from the
27 superior court pursuant to RSA 597:6-e.

28 237:3 Detention and Sanctions for Default or Breach of Conditions. Amend the introductory
29 paragraph of RSA 597:7-a, III to read as follows:

30 III. The state may initiate a proceeding for revocation of an order of release by filing a motion with
31 the court which ordered the release and the order of which is alleged to have been violated. ***In domestic***
32 ***violence, stalking, and harassment cases, the hearing on the motion shall be scheduled within 72 hours,***

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1 *excluding weekends and state or federal holidays. The hearing does not have to be held within 72 hours*
2 *of the filing of the motion, but it shall be scheduled within 72 hours, excluding weekends and state or*
3 *federal holidays.* The court may issue a warrant for the arrest of a person charged with violating a
4 condition of release, and the person shall be brought before the court for a proceeding in accordance with
5 this section. The court shall enter an order of revocation and detention if, after a hearing, the court:

237:4 Effective Date. This act shall take effect January 1, 2027.

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