

CHAPTER 67
HB 1206-FN - FINAL VERSION

2022 SESSION

22-2108
04/08

HOUSE BILL

1206-FN

AN ACT relative to the source of funding for appointment of counsel or other services for indigent persons.

SPONSORS: Rep. Lynn, Rock. 7; Rep. Umberger, Carr. 2

COMMITTEE: Judiciary

ANALYSIS

The bill provides that payment of costs associated with retained legal counsel for indigent parties who are seeking post-conviction DNA testing will be funded by the judicial council.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to the source of funding for appointment of counsel or other services for indigent persons.

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

1 67:1 Post-Conviction DNA Testing of Biological Materials. Amend RSA 651-D:2, I-a to read as
2 follows:

3 I-a. If the superior court determines that an indigent petitioner has met the requirements of
4 paragraph I, it shall appoint counsel to represent such petitioner in any further proceedings under this
5 section. ***The cost of such appointment, including counsel and investigative, expert, or other services and***
6 ***expenses necessary to provide adequate representation, shall be paid from funds appropriated for***
7 ***indigent defense pursuant to RSA 604-A.***

8 67:2 Post-Conviction DNA Testing of Biological Materials. Amend RSA 651-D:2, V to read as
9 follows:

10 V. The cost of DNA testing ordered under this section shall be paid by the petitioner, or by the
11 state, if the petitioner is indigent as determined by the court. ***The cost of such testing paid by the state for***
12 ***any such indigent petitioner, shall be paid from funds appropriated for indigent defense pursuant to RSA***
13 ***604-A.***

14 67:3 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 20, 2022
Effective Date: July 19, 2022

