HB 1300 - AS INTRODUCED

2018 SESSION

18-2179
04/01

HOUSE BILL ***1300***

AN ACT relative to probable cause supported by a sealed affidavit.

SPONSORS: Rep. Horn, Merr. 2; Rep. Kenison, Merr. 15; Rep. Ebel, Merr. 5

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill amends the procedure for a probable cause hearing which is supported by a sealed affidavit.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Eighteen

AN ACT relative to probable cause supported by a sealed affidavit.

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

1 Probable Cause. Amend RSA 592-B:7, III to read as follows:

III. If an arrest is supported by an affidavit that was filed under seal, and the affidavit remains under seal at the time of the request for a probable cause hearing, a hearing shall be scheduled ***unless the state agrees that the defendant may be provided with a copy of the affidavit. The court may issue an order prohibiting the defendant from dissemination of the affidavit until the seal is lifted***.

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