CHAPTER 24
HB 1382-FN - FINAL VERSION

28Mar2024... 1129h

2024 SESSION

24-2460
11/05

HOUSE BILL *1382-FN*

AN ACT granting witness fee reimbursement to unrepresented parents in the armed forces who prevail in special education hearings.

SPONSORS: Rep. Roy, Rock. 31; Rep. Moffett, Merr. 4; Rep. Rhodes, Ches. 17; Rep. Creighton, Hills. 30

COMMITTEE: Education

AMENDED ANALYSIS

This bill authorizes witness fee reimbursement for a parent in the armed forces who represents themself at a special education hearing and prevails.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT granting witness fee reimbursement to unrepresented parents in the armed forces who prevail in special education hearings.

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

24:1 Special Education Hearing Officers. Amend RSA 186-C:16-a to read as follows:

186-C:16-a Special Education Hearing Officers. Hearing officers appointed by the department of education to hear special education impartial due process appeals shall have the authority to compel the attendance of witnesses in accordance with RSA 516:1 including issuing subpoenas for parents who are representing themselves. Any costs incurred in issuing a subpoena shall be the responsibility of the party requesting the subpoena, unless otherwise determined by the hearing officer. The state board of education may adopt rules pursuant to RSA 541-A to implement the provisions of this section, including guidelines to be used for consideration by the hearing officers in determining the responsibility of costs of the subpoena. Nothing in this section shall prohibit any justice from issuing a subpoena for such hearing in accordance with RSA 516:3. ***Witness fees incurred by parents who are members of the armed forces shall, in due process hearings, be reimbursed by the department of education if the hearing officer finds in favor of the parent.***

24:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 20, 2024
Effective Date: July 19, 2024