HB 135 - AS AMENDED BY THE HOUSE

3Jan2018... 2509h

2017 SESSION

17-0091
05/01

HOUSE BILL ***135***

AN ACT relative to the submission of evidence prior to hearings in divorce cases.

SPONSORS: Rep. Itse, Rock. 10; Rep. Wallace, Rock. 33; Rep. DeSimone, Rock. 14; Rep. K. Rice, Hills. 37; Sen. Reagan, Dist 17; Sen. Avard, Dist 12; Sen. Daniels, Dist 11

COMMITTEE: Judiciary

AMENDED ANALYSIS

This bill permits the parties to request a continuance if evidence in a divorce case is not submitted prior to the hearing.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to the submission of evidence prior to hearings in divorce cases.

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

1 New Section; Annulment, Divorce and Separation; Submission of Evidence. Amend RSA 458 by inserting after section 13 the following new section:

458:13-a Submission of Evidence. Evidence submitted to the court in a proceeding under this chapter shall be disclosed to the opposing party at least 10 days prior to the date of the hearing. If a party submits evidence less than 10 days prior to the hearing, the opposing party may request a continuance, which shall be granted for a period of not more than 90 days from the originally scheduled hearing date, unless the court finds that such evidence is de minimus. If the court does not grant a continuance due to the de minimis nature of the evidence submitted, the court shall document the basis for its finding in the court order. This section shall not apply to evidence introduced for purposes of rebuttal or impeachment.

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