

Rep. Rouillard, Hills. 6
Rep. Berch, Ches. 1
Rep. Wuelper, Straf. 3
February 6, 2017
2017-0319h
10/03

Amendment to HB 439

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT relative to the admissibility of proffered evidence in sexual assault cases.

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5 Amend the bill by replacing section 1 with the following:

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7 1 New Paragraph; Sexual Assault and Related Offenses; Testimony and Evidence. Amend
8 RSA 632-A:6 by inserting after paragraph II the following new paragraph:

9 II-a. Proffered evidence excluded under this section, and related pleadings, shall remain
10 under seal and exempt from public disclosure unless and until the New Hampshire supreme court
11 overturns the trial court's evidentiary ruling, in which case only the evidence that the supreme
12 court rules admissible would be subject to public disclosure.

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AMENDED ANALYSIS

This bill establishes a procedure to determine the admissibility of proffered evidence in sexual assault cases.