

Sen. D'Allesandro, Dist 20
Sen. Rosenwald, Dist 13
May 4, 2022
2022-1961s
04/10

Floor Amendment to HB 1677-FN

1 Amend RSA 21-M:11-a, I(i) as inserted by section 2 of the bill by replacing it with the following:

2
3 (i) "Sexual abuse" means an incident of sexually explicit conduct as defined in RSA 649-
4 A:2, III, conduct which would constitute an offense under RSA 632-A:2, RSA 632-A:3, RSA 632-A:4,
5 RSA 644:9, or RSA 645:1, or a common law cause of action for emotional abuse, assault, or battery
6 that involves sexual contact or sexual penetration as defined by RSA 632-A:1.

7
8 Amend RSA 21-M:11-a, V as inserted by section 2 of the bill by replacing it with the following:

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10 V. For all claims involving both sexual and physical abuse or sexual abuse only, no
11 individual claimant shall be paid more than \$2,000,000 in settlement of all claims in the aggregate.
12 For all claims involving physical abuse only, no individual claimant shall be paid more than
13 \$200,000 in settlement of all physical abuse claims in the aggregate.

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15 Amend RSA 21-M:11-a, VII(e)-(g) as inserted by section 2 of the bill by replacing them with the
16 following:

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18 (e) Claims shall be submitted under oath. Claimants shall be entitled to be treated with
19 respect and dignity in the presentment of their claims. Perpetrators of sexual abuse or physical
20 abuse identified by claimants may be referred to an appropriate law enforcement agency by the
21 administrator, but only with the consent and cooperation of the claimant. A claimant shall not be
22 required to cooperate in a criminal investigation as a condition of participating in the claim process.

23 (f) Claims and all documents and information created in connection with claims shall be
24 confidential, except that matter which was not previously confidential shall not become so by virtue
25 of being submitted in connection with a claim, or except as otherwise provided in this section or in
26 RSA 91-A. This confidentiality is provided in order to protect the privacy of the claimant, and only
27 for that reason. The claimant shall not be bound by this obligation of confidentiality and may waive
28 it at any time.

29
30 Amend RSA 21-M:11-a, IX(a) as inserted by section 2 of the bill by replacing it with the following:

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1 IX.(a) When a claimant requests that the administrator decide the claim, the administrator
2 shall schedule the claim for a resolution proceeding according to the procedures approved by the
3 joint fiscal committee. All resolution proceedings shall take place in the state of New Hampshire,
4 although parties and witnesses may attend by telephone or video conference in the discretion of the
5 administrator. To the greatest extent possible, claims shall be scheduled for resolution in the order
6 that they are received and determined to be complete, except that the administrator may also give
7 consideration to the time for which litigation may have been pending prior to the filing of a claim.