

SB 145-FN - AS AMENDED BY THE HOUSE

03/06/2025 0397s
5Jun2025... 2301h

2025 SESSION

25-1120
11/09

SENATE BILL ***145-FN***

AN ACT establishing an evidence shipping pilot program.

SPONSORS: Sen. Altschiller, Dist 24

COMMITTEE: Judiciary

AMENDED ANALYSIS

This bill enables the department of safety to develop an evidence shipping pilot program.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

In the Year of Our Lord Two Thousand Twenty Five

AN ACT establishing an evidence shipping pilot program.

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

1 Findings and Purpose. The general court finds:

I. The state of New Hampshire has effectively worked to reduce the backlog of sexual assault evidence collection kits by ensuring that evidence is analyzed in a timely manner. The state has implemented a kit tracking system that allows the department of justice and the state forensic laboratory to monitor the location and chain of custody as that evidence moves through the system for analysis.

II. One in 4 women and one in 20 men experience sexual violence in New Hampshire, with nearly half of all reported sexual assaults occurring before the victim is 18. On average, 25 kits are collected in New Hampshire each month, which equates to 300 kits annually. It can take years before a sexual assault case is resolved through the criminal justice system.

III. Recognizing the critical work that has been done, the state can expand its efforts to further reduce the time it takes for sexual assault evidence to move from a law enforcement agency to the state forensic laboratory by establishing a mobile forensic evidence collection pilot program.

2 New Subdivision; Evidence Shipping Pilot Program. Amend RSA 21-P by inserting after section 70 the following new subdivision:

Evidence Shipping Pilot Program

21-P:71 Evidence Shipping Pilot Program.

I. The department of safety may develop an evidence shipping pilot program to alleviate long waiting periods for evidence to be safely delivered to the state forensic laboratory, where it can be properly stored pending analysis. A special emphasis shall be placed on supporting law enforcement in rural communities where resources are limited.

II. In this pilot program, all evidence collected by medical personnel in a sexual assault case occurring in the state of New Hampshire shall be transferred to the state forensic laboratory within 7 business days of collection. If a law enforcement agency cannot deliver the evidence in person to the state forensic laboratory, which shall be the preferred method of delivery, the agency may use a common carrier that provides readily accessible package tracking to send the evidence to the state forensic laboratory for delivery within 7 business days of collection. Law enforcement must have a good faith basis to believe that the common carrier will accomplish delivery in 7 business days prior to choosing the common carrier. When utilizing delivery by a common carrier, law enforcement shall deliver the packaged evidence in-hand to an agent of the carrier, and not by drop box or other drop

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- 1 off, and keep track of the package's routing and delivery by tracking number assigned by the carrier.
- 2 III. The department of safety shall adopt rules under RSA 541-A for the design,
- 3 administration, and reporting requirements of the program.
- 4 3 Effective Date. This act shall take effect July 1, 2025.

SB 145-FN- FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2025-0397s)

AN ACT establishing an evidence shipping pilot program and providing an appropriation therefor.

FISCAL IMPACT:

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	\$0	\$0
Revenue Fund(s)	None			
Expenditures*	\$0	Up to \$25,000 for the Biennium		\$0
Funding Source(s)	General Fund			
Appropriations*	\$0	Open Warrant		\$0
Funding Source(s)	General Fund			

***Expenditure = Cost of bill**

***Appropriation = Authorized funding to cover cost of bill**

METHODOLOGY:

This bill establishes a pilot program for law enforcement agencies who cannot deliver sexual assault kits to the laboratory in person within seven (7) days of collection to ship them to the state forensic laboratory, via a trackable method with a common carrier. The Department states the fiscal impact is indeterminable due to many unknown factors, however, states the anticipated the expense would not exceed \$25,000 for the period ending June 30, 2027. It should be noted this bill includes an "open appropriation", meaning the Department is authorized to draw from the general fund any amount needed for funding the program.

AGENCIES CONTACTED:

Department of Safety