

CHAPTER 160
HB 57 - FINAL VERSION

05/22/2025 2308s

2025 SESSION

25-0021
11/08

HOUSE BILL

57

AN ACT relative to the standards applicable to bail in criminal matters.

SPONSORS: Rep. Meuse, Rock. 37

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill adds a provision for the commissioner of corrections to release a person from state prison for the purpose of participating in a post-secondary education program in the community to which they have been accepted.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struck through.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CHAPTER 160
HB 57 - FINAL VERSION

05/22/2025 2308s

25-0021
11/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to the standards applicable to bail in criminal matters.

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

1 160:1 Bail and Recognizances; Release of a Defendant Pending Trial. Amend RSA 597:2, III(c) to
2 read as follows:

3 (c) Except as provided in RSA 597:1-c, a person who is charged with ***a qualifying offense***
4 ~~[homicide under RSA 630; first degree assault under RSA 631:1; second degree assault under RSA~~
5 ~~631:2; felony level domestic violence under RSA 631:2-b; aggravated felonious sexual assault under RSA~~
6 ~~632-A:2; felonious sexual assault under RSA 632-A:3; kidnapping under RSA 633:1; felony level stalking~~
7 ~~under RSA 633:3-a, VI(a); trafficking in persons under RSA 633:7; robbery under RSA 636:1, III;~~
8 ~~possession, manufacture, or distribution of child sexual abuse images under RSA 649-A; or computer~~
9 ~~pornography and child exploitation under RSA 649-B;]~~ shall not be brought before a bail commissioner
10 and shall, upon arrest, be detained pending arraignment before the court. Arraignment shall occur no
11 later than 36 hours after the arrest, excluding weekends and holidays. At the person's appearance before
12 the court, the court shall order that the person be detained pending trial if the court determines by a
13 finding of probable cause that release of the person is a danger to that person or the public. In
14 determining whether release will endanger the safety of that person or the public, the court may consider
15 all relevant and material factors presented pursuant to paragraph VI. If the court does not find probable
16 cause that the person must be detained, the court shall order the person released pursuant to
17 subparagraph I(b), or, if applicable, temporarily detained pursuant to subparagraph I(d). A person
18 arrested for violating the conditions of his or her bail for an offense listed in this subparagraph shall be
19 held until they can be brought before the court at the first available date. If at a subsequent hearing, the
20 court finds probable cause exists that the person violated the conditions of his or her bail for any of the
21 crimes listed in this subparagraph, the defendant shall be held pending trial. ***For the purpose of this***
22 ***subparagraph, "qualifying offense" means any of the following:***

23 (1) ***Homicide under RSA 630;***

24 (2) ***First degree assault under RSA 631:1;***

25 (3) ***Second degree assault under RSA 631:2;***

26 (4) ***Felony level domestic violence under RSA 631:2-b;***

27 (5) ***Aggravated felonious sexual assault under RSA 632-A:2;***

28 (6) ***Felonious sexual assault under RSA 632-A:3;***

29 (7) ***Kidnapping under RSA 633:1;***

30 (8) ***Felony level stalking under RSA 633:3-a, VI(a);***

31 (9) ***Trafficking in persons under RSA 633:7;***

32 (10) ***Robbery under RSA 636:1, III;***

CHAPTER 160
HB 57 - FINAL VERSION
- Page 2 -

- 1 (11) *Possession, manufacture, or distribution of child sexual abuse images under RSA*
2 *649-A;*
3 (12) *Computer pornography and child exploitation under RSA 649-B;*
4 (13) *Any felony offense that has as an element the use, attempted use, or threatened use*
5 *of physical force against a person; or*
6 (14) *Any felony offense, if the person has twice before been convicted of an offense*
7 *listed in subparagraph (c).*

160:2 Effective Date. This act shall take effect 180 days after its passage.

Approved: July 15, 2025
Effective Date: January 11, 2026