

Amendment to HB 1522-FN

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

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3 AN ACT relative to amending and adding definitions related to the protection of persons from  
4 domestic violence and relative to the domestic violence fatality review committee.

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

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8 1 Protection of Persons from Domestic Violence; Definitions. Amend RSA 173-B:1, I to read as  
9 follows:

10 I. "Abuse" means the commission or attempted commission of one or more of the acts  
11 described in subparagraphs (a) through ~~[(h)]~~ (i) by a family or household member or by a current or  
12 former sexual or intimate partner, where such conduct is determined to constitute a credible present  
13 threat to the petitioner's safety. ***In its analysis of abuse, the court may consider the presence***  
14 ***of coercive control as defined in paragraph II-a.*** The court may ***also*** consider evidence of such  
15 acts, regardless of their proximity in time to the filing of the petition, which, in combination with  
16 recent conduct, reflects an ongoing pattern of behavior which reasonably causes or has caused the  
17 petitioner to fear for his or her safety or well-being:

- 18 (a) Assault or reckless conduct as defined in RSA 631:1 through RSA 631:3.  
19 (b) Criminal threatening as defined in RSA 631:4.  
20 (c) Sexual assault as defined in RSA 632-A:2 through RSA 632-A:5.  
21 (d) Interference with freedom as defined in RSA 633:1 through RSA 633:3-a.  
22 (e) Destruction of property as defined in RSA 634:1 and RSA 634:2.  
23 (f) Unauthorized entry as defined in RSA 635:1 and RSA 635:2.  
24 (g) Harassment as defined in RSA 644:4.  
25 (h) Cruelty to animals as defined in RSA 644:8.  
26 (i) ***Nonconsensual dissemination of private sexual images as defined in RSA***  
27 ***644:9-a.***

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29 Amend the bill by inserting after section 3 the following and renumbering the original section 4 to  
30 read as 5:

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1           4 Department of Justice; Domestic Violence Fatality Review Committee. Amend RSA 21-M:16-  
2 a, VI to read as follows:

3           VI. The committee's review of a case shall not be initiated until such time as the law  
4 enforcement criminal investigation has been completed or fully adjudicated, whichever comes later.  
5 ~~[Additionally, if, in the opinion of the attorney general, there exists the potential for civil litigation,~~  
6 ~~the committee's review of a case shall not be initiated before 3 years from the date of the incident~~  
7 ~~under review.] ***Any potential or pending civil litigation shall not preclude the committee's***  
8 ***review of a case and shall not constitute a basis for any organization, agency, or person to***  
9 ***withhold records or testimony that are requested or compelled by the committee pursuant***  
10 ***to this section.***~~

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2026-1770s

AMENDED ANALYSIS

This bill:

I. Adds to the types of abuse the court can consider in determining whether to issue a domestic violence order of protection.

II. Enables the department of justice's domestic violence fatality review committee to review a case even if there is actual or potential civil litigation.