

HB 1061 - AS INTRODUCED

2026 SESSION

26-3086.0

09/06

HOUSE BILL **1061**

AN ACT establishing a commission to study alternatives to incarceration for nonviolent offenders who are primary caregivers.

SPONSORS: Rep. A. Murray, Hills. 20; Rep. Meuse, Rock. 37; Rep. Newell, Ches. 4; Rep. Harriott-Gathright, Hills. 10

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill establishes a commission to study alternatives to incarceration for nonviolent offenders who are primary caregivers.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT establishing a commission to study alternatives to incarceration for nonviolent offenders who are primary caregivers.

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

1 1 Legislative Findings. The general court finds that incarceration of nonviolent offenders who
2 are primary caregivers of dependent children or other dependents can have significant negative
3 consequences on families, particularly children. This act establishes a commission to study the
4 feasibility of allowing such offenders to serve their sentences in home-based or community-based
5 alternatives to incarceration.

6 2 New Section; Commission to Study Alternatives to Incarceration for Nonviolent Offenders
7 Who Are Primary Caregivers. Amend RSA 651 by inserting after section 25 the following new
8 section:

9 651:25-a Commission to Study Alternatives to Incarceration for Nonviolent Offenders Who Are
10 Primary Caregivers.

11 I. There is hereby established a commission to study alternatives to incarceration for
12 nonviolent offenders who are primary caregivers.

13 II. Notwithstanding RSA 14:49, the members of the commission shall be as follows:

14 (a) Two members of the house of representatives, appointed by the speaker of the house,
15 one of whom shall be from the criminal justice and public safety committee.

16 (b) One member of the senate, appointed by the president of the senate.

17 (c) The commissioner of the department of corrections, or designee.

18 (d) The commissioner of the department of health and human services, or designee.

19 (e) One representative from a nonprofit organization focused on criminal justice reform,
20 appointed by the governor.

21 (f) One representative from a nonprofit organization focused on child welfare or family
22 support, appointed by the governor.

23 (g) One formerly incarcerated individual who was a primary caregiver during their
24 period of incarceration, appointed by the governor.

25 (h) One academician or researcher with expertise in criminal justice, family studies, or
26 social work, appointed by the governor.

27 III. Legislative members of the commission shall receive mileage at the legislative rate when
28 attending to the duties of the commission.

29 IV. The commission shall:

HB 1061 - AS INTRODUCED

- Page 2 -

1 (a) Study current sentencing practices and their impact on children and dependents of
2 incarcerated individuals in New Hampshire.

3 (b) Identify potential alternatives to incarceration for nonviolent offenders who are
4 primary caregivers, including home confinement, community supervision, restorative justice
5 programs, and treatment-based approaches.

6 (c) Examine models used in other states or jurisdictions.

7 (d) Evaluate the public safety, economic, and social implications of such alternatives.

8 (e) Make recommendations for legislative or administrative action to implement and
9 expand such alternatives in New Hampshire.

10 V. The members of the study commission shall elect a chairperson from among the
11 members. The first meeting of the commission shall be called by the first-named house member.
12 The first meeting of the commission shall be held within 45 days of the effective date of this section.
13 A simple majority of the members shall constitute a quorum.

14 VI. The commission shall submit a report of its findings and recommendations, together
15 with any proposed legislation, to the speaker of the house of representatives, the president of the
16 senate, the governor, and the state library on or before November 1, 2026.

17 3 Prospective Repeal. RSA 651:25-a, relative to the commission to study alternatives to
18 incarceration for nonviolent offenders who are primary caregivers, is repealed.

19 4 Effective Date.

20 I. Section 3 of this act shall take effect November 30, 2026.

21 II. The remainder of this act shall take effect upon its passage.