

HB 146-FN - AS INTRODUCED

2025 SESSION

25-0340

09/11

HOUSE BILL ***146-FN***

AN ACT relative to the use of body-worn cameras.

SPONSORS: Rep. Flanagan, Hills. 45

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill requires an arresting agency to preserve and disclose upon request body-worn camera recordings related to certain motor vehicle stops.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to the use of body-worn cameras.

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

1 1 Use of Body-Worn Cameras. Amend RSA 105-D:2, XVII to read as follows:

2 XVII. Notwithstanding the provisions of paragraph XVI:

3 (a) If there is any other legal requirement for retaining the recording, including but not
4 limited to litigation, a pending criminal case, or a valid court or administrative order, then the
5 recording shall be retained only as long as is legally required; ~~and~~

6 (b) The chief law enforcement officer of the agency may designate the recording as a
7 training tool, provided that a person's image and vehicle license plate numbers shall first be
8 permanently deleted, distorted, or obscured, or the person has been given an opportunity in writing
9 to decline to have his or her image and/or vehicle license plate number to be so used. A recording so
10 designated and prepared may be viewed solely by officers for training purposes only; **and**

11 ***(c) If a person pleads not guilty to a violation-level offense alleging a violation***
12 ***of any law in RSA 265 following a motor vehicle stop, the law enforcement agency involved***
13 ***in the motor vehicle stop shall preserve any body-worn camera recordings relating to the***
14 ***motor vehicle stop until the case concludes, including any appeal. Notwithstanding any***
15 ***other provision of this section, the law enforcement agency shall provide the defendant***
16 ***with the camera recording within 5 days of a request by the defendant. Failure by the law***
17 ***enforcement agency to preserve or disclose the recording as required by this subparagraph***
18 ***shall result in the violation being dismissed with prejudice.***

19 2 Effective Date. This act shall take effect 90 days after its passage.

**HB 146-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to the use of body-worn cameras.

FISCAL IMPACT:

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	\$0	\$0
Revenue Fund(s)	None			
Expenditures*	\$0	Under \$10,000 Per Year		
Funding Source(s)	General Fund and Highway Fund			
Appropriations*	\$0	\$0	\$0	\$0
Funding Source(s)	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	\$0	Indeterminable		
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	\$0	Indeterminable		

METHODOLOGY:

This bill relates to criteria in which an arresting agency shall preserve and disclose upon request body-worn camera recordings related to certain motor vehicle stops. The Department of Safety states any costs to the state to comply with the requirements of this bill would be less than \$10,000 per year. The impact, if any, on county and local law enforcement agencies to comply with this bill is indeterminable and presumably would vary from agency to agency.

AGENCIES CONTACTED:

Department of Safety