

SB 58-FN - AS INTRODUCED

2025 SESSION

25-1017
09/11

SENATE BILL

58-FN

AN ACT relative to venue in criminal cases.

SPONSORS: Sen. Pearl, Dist 17; Sen. Lang, Dist 2; Sen. Reardon, Dist 15; Sen. Innis, Dist 7;
Sen. Rochefort, Dist 1; Sen. Watters, Dist 4; Sen. Murphy, Dist 16; Rep. Moffett,
Merr. 4; Rep. Seaworth, Merr. 12; Rep. Wood, Merr. 13; Rep. Aures, Merr. 13

COMMITTEE: Judiciary

ANALYSIS

This bill broadens criminal venue to allow for prosecution in the county or judicial district where an element of the offense occurred in situations where all of the elements of the offense do not occur in one county or judicial district.

This bill is a request of the office of the Merrimack county attorney.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

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

1 1 Venue; Parts of Offense in More Than One County. Amend RSA 602:1 to read as
2 follows:

3 602:1 Parts of Offense in More Than One County, etc. Offenders shall be prosecuted and tried
4 in the county or judicial district thereof in which the offense was committed. But if any person is
5 feloniously stricken, wounded or poisoned in one county or judicial district thereof and dies thereof in
6 another, or if parts of an offense are committed ***or different elements of the offense occur*** in more
7 than one county or judicial district thereof, the offense shall be deemed to have been committed, the
8 offender may be prosecuted, and the trial may be had in either county or judicial district thereof.

9 2 Effective Date. This act shall take effect January 1, 2026.

SB 58-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to venue in criminal cases.

FISCAL IMPACT: This bill does not provide funding.

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
Expenditures*	\$0	Indeterminable Increase (\$10,000 to \$100,000)	Indeterminable Increase (\$10,000 to \$100,000)	Indeterminable Increase (\$10,000 to \$100,000)
<i>Funding Source(s)</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

***Expenditure = Cost of bill**

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

METHODOLOGY:

This bill allows for a prosecution to be brought in a any venue where an element of that crime has occurred. The Department of Justice states this bill could increase General Fund expenditures, potentially ranging from \$10,000 to \$100,000, depending on prosecution costs affected by the location of witnesses. Cases may be brought in venues that require witnesses to incur greater travel expenses. However, the specific fiscal impact related to witness costs remains indeterminable at this time.

The Judicial Branch states this bill has the potential to increase General Fund expenditures by \$10,000 or less due to the additional costs associated with an increase in litigation.

AGENCIES CONTACTED:

Department of Justice and Judicial Branch