

HB 580-FN - AS INTRODUCED

2025 SESSION

25-0214

11/09

HOUSE BILL ***580-FN***

AN ACT relative to retaliatory defamation in domestic violence and sexual violence cases.

SPONSORS: Rep. Burroughs, Carr. 2; Rep. Damon, Sull. 8; Rep. Gregg, Hills. 7; Rep. Thackston, Ches. 12; Rep. Berch, Ches. 6; Rep. Spier, Hills. 6; Sen. Altschiller, Dist 24; Sen. Perkins Kwoka, Dist 21

COMMITTEE: Judiciary

ANALYSIS

 This bill prohibits retaliatory defamation against a victim reporting sexual misconduct, sexual abuse, sexual assault, sexual harassment, or domestic abuse.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 retaliatory defamation in domestic violence and sexual violence cases.

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

1 1 New Section; Retaliatory Defamation; Sexual and Domestic Violence. Amend RSA 507:15 by
2 inserting after section 507:15-b the following new section:

3 507:15-c Retaliatory Defamation.

4 I. A person accused by a victim of sexual misconduct, sexual abuse, sexual assault, sexual
5 harassment, or the commission or attempted commission of one or more acts described in RSA 173-
6 B:1, I(a)-(f), shall not file a defamation action against a victim reporting sexual misconduct, sexual
7 abuse, sexual assault, sexual harassment, or abuse under RSA 173-B, including in cases where the
8 alleged perpetrator is publicly named, except as permitted in paragraph II.

9 II. Defamation claims, where the alleged perpetrator is publicly named by a victim reporting
10 sexual misconduct, sexual abuse, sexual assault, sexual harassment, or abuse under RSA 173-B,
11 shall be reserved for cases where the plaintiff's complaint establishes, by pleading particular facts
12 and not a general claim, one or both of the following:

13 (a) The claimed act in the reported accusation was a factual impossibility for the accused
14 to have perpetrated.

15 (b) The victim has publicly stated that the present reported incident did not occur.

16 III. For purposes of this section:

17 (a) "Report" or "reporting" means disclosures to authorities, human resources, speaking
18 to the press, publishing on social media, or telling another person.

19 (b) "Victim" means alleged victim or victim determined by legal process.

20 IV. A victim who prevails in a retaliatory defamation case at any point in the proceedings
21 shall be awarded court costs and reasonable attorneys fees, and shall be eligible to receive punitive
22 damages in addition to treble compensatory damages.

23 2 Effective Date. This act shall take effect January 1, 2026.

LBA
25-0214
1/2/25

**HB 580-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to retaliatory defamation in domestic violence and sexual violence cases.

FISCAL IMPACT:

The Legislative Budget Assistant has determined that this legislation has a total fiscal impact of less than \$10,000 in each of the fiscal years 2026 through 2028.

AGENCIES CONTACTED:

Judicial Branch