

HB 638-FN - AS INTRODUCED

2025 SESSION

25-0709

11/09

HOUSE BILL ***638-FN***

AN ACT allowing an older prisoner serving a sentence of life without parole to be eligible for parole upon meeting certain criteria.

SPONSORS: Rep. Meuse, Rock. 37; Rep. Scherr, Rock. 26

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill would allow a prisoner 60 years of age or older who is serving a sentence of life without parole for first degree murder to be eligible for parole when he or she has served a minimum of 18 years and demonstrated good behavior over an extended period.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 allowing an older prisoner serving a sentence of life without parole to be eligible for parole upon meeting certain criteria.

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

1 1 Eligibility for Release on Parole. Amend RSA 630:1-a, III to read as follows:

2 III. A person convicted of a murder in the first degree shall be sentenced to life
3 imprisonment ~~[and shall not be eligible for parole at any time]~~. ***Such person shall be eligible for***
4 ***release on parole in accordance with RSA 651-A:7-a.***

5 2 New Section; Parole Eligibility; First Degree Murder. Amend RSA 651-A by inserting after
6 section 651:7 the following new section:

7 651-A:7-a First Degree Murder Eligibility for Release on Parole.

8 I. A person convicted of a single offense under RSA 630:1-a, but not RSA 630:1, shall be
9 immediately eligible for release on parole when that person is:

10 (a) Serving a sentence of life without parole;

11 (b) 60 years of age or older:

12 (c) Has served more than 18 years of that sentence; and

13 (d) Has not been found to have committed a Class A or Class B violation in the prison for
14 which the person was disciplined within 10 years prior to date of eligibility.

15 II. A person eligible for release on parole under this section shall be accorded the same
16 rights and process by the prison and the parole board as any inmate would have when eligible for
17 parole.

18 3 Effective Date. This act shall take effect July 1, 2025.

**HB 638-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT allowing an older prisoner serving a sentence of life without parole to be eligible for parole upon meeting certain criteria.

FISCAL IMPACT: This bill does not provide funding.

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	\$0	\$0
Revenue Fund(s)				
Expenditures*	\$0	Indeterminable Decrease	Indeterminable Decrease	Indeterminable Decrease
Funding Source(s)	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
Funding Source(s)	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

METHODOLOGY:

This bill allows a prisoner 60 years of age or older who is serving a sentence of life without parole for first degree murder to be eligible for parole when he or she has served a minimum of 18 years and demonstrated good behavior over an extended period.

The Department of Corrections is not able to determine the fiscal impact of this bill because it does not have sufficient information to predict the number of individuals who would be subject to the bill. As of December 17, 2024, the Department has 95 people incarcerated for 1st degree murder charges; the Department estimates the bill may impact 15 people incarcerated for 1st degree murder. The bill as written does not address pretrial time that may be applied to their 18-year minimum sentence. Also, there may need to be additional language or clarification as to who would determine when someone was eligible under this legislation.

The Department states the average annual cost of incarcerating an individual in the general populations for the fiscal year ending June 30, 2024 was \$78,542. The average cost to supervise an individual by the Department's Division of Field Services for the fiscal year ending June 30, 2024 was \$858.

The Adult Parole Board indicates this bill will allow inmates that are sentenced to life without parole to be eligible for parole after meeting certain requirements. After researching the current inmate population along with this legislation's requirements, the Board determined the bill will not have a significant fiscal impact on the Parole Board operations.

AGENCIES CONTACTED:

Department of Corrections and New Hampshire Adult Parole Board