

HB 139 - AS INTRODUCED

2021 SESSION

21-0214

05/08

HOUSE BILL **139**

AN ACT relative to the submission of evidence in divorce proceedings.

SPONSORS: Rep. Yokela, Rock. 33; Rep. Wallace, Rock. 12; Rep. Gould, Hills. 7

COMMITTEE: Children and Family Law

ANALYSIS

This bill permits the parties to request a continuance if evidence in a divorce proceeding is not submitted prior to the hearing.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to the submission of evidence in divorce proceedings.

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

1 1 New Section; Annulment, Divorce and Separation; Submission of Evidence. Amend RSA 458
2 by inserting after section 13 the following new section:

3 458:13-a Submission of Evidence. Evidence submitted to the court in a proceeding under this
4 chapter shall be disclosed to the opposing party at least 5 days prior to the date of the hearing. If a
5 party submits evidence less than 5 days prior to the hearing, the opposing party may request a
6 continuance, which shall be granted for a period of not more than 90 days from the originally
7 scheduled hearing date unless the court finds that such evidence is de minimus or that such
8 evidence was not available to the party submitting evidence 5 days prior to the hearing. If the court
9 does not grant a continuance due to the de minimis nature of the evidence submitted, the court shall
10 document the basis for its finding in the court order. This section shall not apply to evidence
11 introduced for purposes of rebuttal or impeachment.

12 2 Effective Date. This act shall take effect 60 days after its passage.