

HB 443-FN - AS INTRODUCED

2021 SESSION

21-0559

04/11

HOUSE BILL ***443-FN***

AN ACT relative to an extended term of imprisonment for assaulting military personnel.

SPONSORS: Rep. Bordes, Belk. 3; Rep. Binford, Graf. 15; Rep. Hough, Belk. 3; Rep. O'Hara, Belk. 9; Rep. Johnson, Belk. 3; Rep. Trottier, Belk. 6

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill provides for an extended term of imprisonment for an assault conviction against a member of the United States armed services.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 an extended term of imprisonment for assaulting military personnel.

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

1 1 Extended Term of Imprisonment; Assault of Military Personnel. Amend RSA 651:6, I(g) to
2 read as follows:

3 (g) Has knowingly committed or attempted to commit any of the crimes defined in RSA
4 631 where he or she knows the victim was, at the time of the commission of the crime, ***a member of***
5 ***the United States armed forces as defined in RSA 21:50, II***, a law enforcement officer, a paid
6 firefighter, volunteer firefighter, on-call firefighter, or licensed emergency medical care provider as
7 defined in RSA 153-A:2, V acting in the line of duty;

8 2 Effective Date. This act shall take effect 60 days after its passage.

**HB 443-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to an extended term of imprisonment for assaulting military personnel.

FISCAL IMPACT: ☒ **State** ☐ **County** ☐ **Local** ☐ **None**

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

METHODOLOGY:

This bill provides for an extended term of imprisonment for an assault conviction against a member of the United States armed services.

The Department of Corrections cannot predict the number of people that might commit this crime. This makes the fiscal impact to the Department indeterminable. Any fiscal impact would either be no change or an increase in expenditures. The Department has provided the following average cost information.

Department of Corrections	FY 2021	FY 2022
FY 2020 Average Cost of Incarcerating an Individual	\$47,691	\$47,691
FY 2020 Annual Marginal Cost of a General Population Inmate	\$6,407	\$6,407
FY 2020 Average Cost of Supervising an Individual on Parole/Probation	\$584	\$584

The Judicial Branch expects the fiscal impact of this bill will be below \$10,000. The Branch assumes, since the bill only addresses the length of the term of imprisonment, the number of prosecutions will not change and the bill would not result in a significant change in its expenditures. The bill would require the Branch to modify and update its Odyssey case management system, to update its forms and notify judges and staff of the changes. The Branch anticipates the additional costs could be managed within existing resources. The collective effort to make these types of changes for all bills that are signed into law takes several months to

implement and may not be possible within the 60 day effective date called for in this bill. If the 60 day effective date remains in place, additional resources, and expenditures, may be necessary to implement the changes in the shorter time frame.

It is assumed that any fiscal impact would occur after July 1,2021.

AGENCIES CONTACTED:

Department of Corrections and Judicial Branch