

HB 196 - AS AMENDED BY THE HOUSE

7Apr2021... 0758h

2021 SESSION

21-0362

04/08

HOUSE BILL **196**

AN ACT adding trespass as an exception to the charge of criminal threatening.

SPONSORS: Rep. Yakubovich, Merr. 24; Rep. Binford, Graf. 15; Rep. Roy, Rock. 32; Rep. T. Lekas, Hills. 37; Rep. Rhodes, Ches. 15; Rep. Aron, Sull. 7; Rep. Piemonte, Rock. 4; Rep. DeSimone, Rock. 14

COMMITTEE: Criminal Justice and Public Safety

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ANALYSIS

This bill adds an exception to the criminal threatening statute for a person who displays a firearm to warn away a trespasser.

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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 adding trespass as an exception to the charge of criminal threatening.

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

1 1 Criminal Threatening. Amend RSA 631:4, IV to read as follows:

2 IV. A person who responds to a ***person criminally trespassing pursuant to RSA 635:2***  
3 ***or other*** threat which would be considered by a reasonable person as likely to cause ***property***  
4 ***damage***, serious bodily injury, or death to the person or to another by displaying a firearm or other  
5 means of self-defense with the intent to warn away the person ***criminally trespassing or*** making  
6 the threat shall not have committed a criminal act under this section.

7 2 Effective Date. This act shall take effect 60 days after its passage.