

SB 41 - AS INTRODUCED

2021 SESSION

21-0583

04/08

SENATE BILL **41**

AN ACT relative to police disciplinary hearings.

SPONSORS: Sen. French, Dist 7; Sen. Reagan, Dist 17

COMMITTEE: Judiciary

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ANALYSIS

This bill provides that a party may petition to close a portion of a police disciplinary hearing.

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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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                      relative to police disciplinary hearings.

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

- 1            1 Police Standards and Training Council; Powers. Amend RSA 106-L:5, III to read as follows:
- 2            III. For the purposes of a disciplinary hearing, subpoena and examine witnesses under oath,
- 3 take oaths or affirmations, and reduce to writing testimony given at any hearing[~~-Any~~] ***provided***
- 4 ***that any*** person whose rights or privileges may be affected at such a disciplinary hearing may
- 5 appear with witnesses and be represented by counsel, ***and further provided that any***
- 6 ***disciplinary hearing shall be public, but a party may petition to close a portion of the***
- 7 ***hearing to the public if the party seeking closure proves that such portion of the hearing***
- 8 ***would disclose confidential information and that the disclosure creates a compelling***
- 9 ***interest outweighing the public right of access.***
- 10           2 Effective Date. This act shall take effect 60 days after its passage.