

CHAPTER 50
HB 576 - FINAL VERSION

2022 SESSION

21-0707
04/08

HOUSE BILL

576

AN ACT relative to victims compensation fund eligibility.

SPONSORS: Rep. Massimilla, Graf. 1; Rep. Pantelakos, Rock. 25; Rep. T. Smith, Hills. 17; Rep. Egan, Graf. 2; Rep. Burroughs, Carr. 1; Rep. Merchant, Sull. 4; Sen. Hennessey, Dist 1

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill amends the provisions of the victims' compensation fund by permitting claims for victims of human trafficking, allowing claims based on sexual abuse or human trafficking to be filed at any time, and eliminating the consideration of contributory negligence in claims based on sexual abuse or human trafficking.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to victims compensation fund eligibility.

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

1 50:1 Department of Justice; Claimant Eligibility; Compensation. Amend RSA 21-M:8-h, I(a)(3) to
2 read as follows:

3 (3) Any person who is a victim of sexual abuse ***or human trafficking*** and is under the age
4 of 18 at the time ~~[the claim is filed]~~ ***of the offense***;

5 50:2 Department of Justice; Claimant Eligibility; Compensation. Amend RSA 21-M:8-h, II-IV to read
6 as follows:

7 II. The claimant, guardian ad litem or child advocate, or parent may file a claim for compensation
8 within 2 years of the crime, unless good cause is shown. ***A claimant who was the victim of sexual abuse***
9 ***or human trafficking under subparagraph I(a)(3), or a guardian ad litem, child advocate, or parent on***
10 ***behalf of such claimant, may file a claim at any time.***

11 III. A claimant shall not be deemed ineligible for compensation based solely upon failure to
12 apprehend the offender, or based ~~[solely]~~ upon failure of the state to obtain a conviction against the
13 offender, providing there is reasonable evidence to sustain the claim that a crime had been committed
14 which resulted in injury to the victim.

15 IV. The commission may consider the finding of innocence or guilt of the alleged offender in
16 arriving at their determination of eligibility of the claimant. In determining eligibility and the amount of
17 compensation to be awarded, the commission shall consider the contributory fault of the victim in causing
18 his injury. If compensation is paid to members of the accused's immediate family, or persons who reside
19 with or who have maintained a continuous relationship with the accused, the accused shall receive no
20 benefit or enrichment as a result of payment of such compensation. ***The commission shall not consider***
21 ***contributory fault in determining the amount of compensation to be awarded if the claimant was a victim of***
22 ***sexual abuse or human trafficking under subparagraph I(a)(3).***

50:3 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 20, 2022
Effective Date: July 19, 2022