

**HB 504 – AS INTRODUCED**

2013 SESSION

13-0160  
04/09

HOUSE BILL            **504**

AN ACT                relative to official oppression.

SPONSORS:            Rep. Itse, Rock 10; Rep. Comerford, Rock 33

COMMITTEE:          Criminal Justice and Public Safety

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ANALYSIS

This bill revises the offense of official oppression by making it either a class B misdemeanor or a violation, depending on whether a public servant acted with a purpose to benefit oneself or another or to harm another.

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Explanation:          Matter added to current law appears in ***bold italics***.  
                                Matter removed from current law appears [~~in brackets and struck through.~~]  
                                Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Thirteen*

AN ACT                   relative to official oppression.

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

1           1 Intent. The intent of the official oppression statute is to empower citizens to hold public  
2 servants accountable in their delegated duties pursuant to the Constitution of New Hampshire, part  
3 I, articles 8 and 10.

4           2 Official Oppression. Amend RSA 643:1 to read as follows:

5           643:1 Official Oppression.

6           ***I.*** A public servant, as defined in RSA 640:2, II, is guilty of a misdemeanor if, with a purpose  
7 to benefit [~~himself~~] ***oneself*** or another or to harm another, he ***or she*** knowingly commits an  
8 unauthorized act which purports to be an act of his ***or her*** office; or knowingly refrains from  
9 performing a duty imposed on him ***or her*** by law or clearly inherent in the nature of his ***or her***  
10 office.

11           ***II.*** ***A public servant, as defined in RSA 640:2, II, is guilty of a violation if, without a***  
12 ***purpose to benefit oneself or another or to harm another, he or she knowingly commits an***  
13 ***unauthorized act which purports to be an act of his or her office; or knowingly refrains***  
14 ***from performing a duty imposed upon him or her by law. A complaint under this***  
15 ***paragraph may be filed in the circuit court with jurisdiction over the municipality in***  
16 ***which the offense occurs.***

17           3 Effective Date. This act shall take effect January 1, 2014.